

GETTING STARTED PACKET

This GETTING STARTED PACKET is the same document you can receive in person or via mail from the One Stop Business Center, with one key difference: The checklists included herein are blank, and not business-specific.

If you would like a business-specific packet, please visit or call us during working hours (8-5 M-F) and we'll go over the packet with you.

In the City of Houston there is no such thing as a "General Business License", nor is there a "General Contractor's License". A "DBA" is NOT a business license.

The permits, licenses and regulations governing your particular business are specific, and the online packet is intended solely for general information.

Please call us at 713.247.2982 if you have any questions.

GETTING STARTED PACKET

Summer 2005

The enclosed information will help you legally operate a business in Houston and Harris County. Some permits (especially for GENERAL CONTRACTORS) must be obtained on a job-by-job basis. GENERAL CONTRACTORS ARE NOT PROFESSIONALLY LICENSED. Please contact the appropriate city department for job and project-based permits- www.houstontx.gov

For minimum distance requirements, call the Planning Dept. (713-837-7701, 611 Walker St.). Auto sales and storage, sexually oriented businesses (SOB's), hazardous materials and the sale of alcoholic beverages are examples of the businesses that require minimum distances from residences, day cares, schools, and churches. Do NOT attempt to obtain city permits unless you can satisfy distance requirements. City ordinances are available from the City Secretary at 713-247-1840.

THE ONE STOP BUSINESS CENTER ASSUMES NO RESPONSIBILITY FOR YOUR FAILURE TO OBTAIN ALL NECESSARY OPERATING PERMITS, OR FOR THE SEQUENCE IN WHICH YOU OBTAIN SUCH PERMITS. Information on professional affiliations, memberships, non-governmental certifications, insurance, or bonding not included herein. Please bring inaccuracies to our attention.

FREE SCORE COUNSELING @ ONE STOP CITY HALL ANNEX!!

www.scorehouston.org

The ONE STOP BUSINESS CENTER has **FREE** 1-on-1 business counseling for new and first stage businesses at its conveniently located City Hall Annex location, Downtown Houston. **CALL TODAY for an appointment** with our SCORE business advisors who can steer your business on the path to success. You'll learn about business planning, discuss strategies, financing options, and other topics of importance to your business.

MONDAYS, WEDNESDAYS & THURSDAYS @ 2:00 pm & 3:00 pm

(See over for directions)

CALL 713-247-2982 (TDD/TTY: 3-1-1)

ONE STOP BUSINESS CENTER

LOCATION: CITY HALL ANNEX, 900 Bagby St. @ McKinney (Public Level)
PHONE: 713-247-2982; FAX: 713-247-2710; TDD/TTY: 3-1-1
WEBSITE: www.houstontx.gov/onestop
E-MAIL: onestopbusinesscenter@cityofhouston.net



ASSUMED NAMES IN TEXAS

IF I FILE AN ASSUMED NAME WITH THE SECRETARY OF STATE OR WITH THE COUNTY CLERK DOES THIS MEAN NO ONE ELSE WILL BE ALLOWED TO USE THE NAME?

No. Registration of an assumed name does not give the registrant any right to the use of the assumed name when that use would be contrary to the common law or statutory law of unfair competition, unfair trade practices, or common law copyright or similar law. The secretary of state will accept a filing of an assumed name certificate as notice of intent to use of the assumed name without determining whether the registrant has the right to the use of the name. Consequently, there may be the same assumed name on file by more than one organization.

The purpose of the assumed name filing is to provide notice that a business or profession is being conducted under a name that may not clearly identify the owners or participants and to provide further information on the identity and location of such owners or participants. Generally, every business must protect its own business name and the good will that it has acquired from the sale of its goods or services in a specific geographic area.

SOURCE: www.sos.state.tx.us/corp/businessfaqs.shtml

GET CERTIFIED!!!

The Mayor's Office of Affirmative Action and Contract Compliance (AACC) provides quality certification, compliance, business development, and training programs to promote equal employment and economic opportunity at every level of City government. To increase opportunities for minority and women business owners to participate in City contracting, the City of Houston has implemented a Minority/Women Disadvantaged Business Enterprise (M/W/DBE) program.

Firms wishing to participate in the M/W/DBE program must be certified by the AACC, which maintains and distributes the M/W/DBE Directory. The Directory is issued to all City departments and to prime contractors to assist them in making good faith efforts to meet M/W/DBE goals.

The City's M/W/DBE goals are: construction, 17 percent; purchasing, 11 percent; and, professional services, 24 percent. The AACC administers similar programs for federally-designated Disadvantaged Business Enterprises (DBEs) and Persons with Disabilities Business Enterprises (PDBEs).

Firms wishing to become certified can attend a pre-certification workshops, offered every Thursday at 2:00 p.m. at the AACC office, 611 Walker, 20th Floor. For more information, call AACC at 713.837.9000.

SOURCE: www.houstontx.gov/aacc/index.html

TDD/TTY- Relay Texas (Call 7-1-1)

BRAZORIA CO. CLERK	979-849-5711	FORT BEND CO. INFO	281-342-3411
GALVESTON CO. CLERK	409-766-2200	HARRIS CO. TAX ASSESSOR	713-224-1919
HARRIS COUNTY	713-755-5000	MONTGOMERY CO. CLERK	281-353-9791
STATE OF TEXAS	800-252-9600		

DIRECTIONS & PARKING

ONE STOP BUSINESS CENTER, City Hall Annex, 900 Bagby St., Public Level. Metered parking available in the City Hall Annex parking lot behind 900 Bagby, or next to City Hall on McKinney and Walker. Garage parking available in the Theater District. (Tranquillity Garage Entrance #2 in the 500 block of Rusk, connected by tunnel to City Hall basement). **WHEEL CHAIR ACCESSIBLE.**

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SUMMER 2005

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MINIMUM REQUIREMENTS

HOUSTON ONE STOP BUSINESS CENTER
P.O. BOX 1562, HOUSTON, TEXAS 77251; PH: 713-247-2982

BUS. _____

CONTACT THESE AGENCIES FIRST:

HARRIS COUNTY CLERK 713-755-6436 (TDD- 711)

www.cclerk.hctx.net

PERMIT: ASSUMED NAME OR "DBA" (\$15+ PROCESSING FEE- CASH).

1001 Preston, 4th Floor (CALL FOR OTHER LOCATIONS). An Assumed Name, or DBA, is required to be filed in every Texas county in which you transact business. A DBA IS A PUBLIC ANNOUNCEMENT - IT DOES NOT RESERVE A NAME AND OTHERS MAY EVENTUALLY USE THE SAME NAME. It is valid for ten (10) years and must be filed for in-person. **FORT BEND Co. (281-341-8652), MONTGOMERY Co. (281-353-9791 x7885), BRAZORIA Co. (281-331-6101), GALVESTON Co. (409-766-2200).**

TEXAS STATE COMPTROLLER 1-800-252-5555 (TDD- 711)

www.cpa.state.tx.us

PERMIT: TEXAS SALES TAX PERMIT (NO FEE).

1919 North Loop West @ Ella (4 Houston offices). Texas levies a 6.25% tax on sales of tangible personal property, some types of labor and services. A SALES TAX PERMIT and SALES TAX BOND is required of businesses selling, renting, leasing or providing taxable items or services. The FRANCHISE TAX is collected from corporations. Taxes on amusement machines, motor fuels, minerals, vehicle tires & batteries, and motor vehicles are collected. Inquire about the Resale Certificate for resellers, and the Exemption Certificate. **OPERATING W/O A SALES TAX PERMIT IS A CRIME PUNISHABLE BY A FINE OF UP TO \$500 FOR EACH DAY A BUSINESS OPERATES WITHOUT A PERMIT.**

INTERNAL REVENUE SERVICE 1-800-829-1040 (TDD- 711)

www.irs.gov

FILING: EMPLOYER ID NUMBER, FEDERAL TAX ID NUMBER

1919 Smith St. (1st Floor). File an "SS-4", or Employer ID Number (EIN) Application Form if you pay wages to one or more employees. Sole proprietors with no employees can also use their SSN. Corporations, partnerships, or non-profits must have EIN's (ask for Publication 583 and 1635). **IRS registers NON-PROFIT 501(c)(3) organizations (Ask for forms 1023,1024,8718).** Call pre-recorded TELE-TAX line at 713-541-3400. Call 1-800-772-1213 for SOCIAL SECURITY and MEDICARE information. Non-resident aliens must have a valid visa and SSN to transact business in the US. Small business seminar information can be obtained at 713-209-3543. The Taxpayer Advocate is at 877-777-4778.

(After 1-1-2006) HARRIS CO. APPRAISAL DISTRICT 713-957-7800 (TDD- 711)

www.hcad.org

FILING: RENDITION OF BUSINESS PERSONAL PROPERTY

13013 NW Freeway (290), between Hollister and Pinemont. Owners of business personal property **as of January 1** of each year must file a **RENDITION-** a listing of business personal property assets- between January 1 and April 15 of each year. Assets include inventory items, raw materials, leasehold improvements, machinery and other equipment, furniture and fixtures, computer equipment, and vehicles used for business purposes. Property must be located in the taxing jurisdiction for more than a temporary period. **FORT BEND Co. (281-344-8623), MONTGOMERY Co. (281-353-2186), BRAZORIA Co. (281-331-6101)**

	HARRIS COUNTY CLERK	TEXAS STATE COMPTROLLER	INTERNAL REVENUE SERVICE (IRS)
SOUTH & SE	109 E. Shaw (Pasadena) 713-473-9048	650 FM 1959 (Hwy 3) 281-484-6533	8876 I-45 South 281-721-7021
	701 West Baker (Baytown) 281-422-0253		
	10851 Scarsdale (South Belt) 281-464-0115		
	16603 Buccaneer (Clear Lake) 281-486-7250		
	7300 N. Shepherd 713-697-5193		
NORTH & NW	16402 Clay Road (Bear Creek) 281-859-2905	16630 Imperial Valley, #227 281-820-6055 (N. of Beltway 8)	12941 I-45 North 281-721-7021
	6831 Cypresswood (Champions) 281-379-1057		
	7900 Will Clayton Pkwy. (Humble) 281-540-1173		
	1001 Preston @ Main, 4 th Floor 713-755-6436		
DOWNTOWN			1919 Smith St. (@ Pierce Elevated) 281-721-7021
SW	6000 Chimney Rock (@ Gulfton) 713-660-7902	9888 Bissonnet, #510 713-777-1881	8701 S. Gessner 281-721-7021

CITY / COUNTY REQUIREMENTS

HOUSTON ONE STOP BUSINESS CENTER, P.O. Box 1562, Houston, Tx. 77251 - PH: 713-247-2982

CONTACT THE AGENCIES CHECKED BELOW FOR DETAILED PERMIT, LICENSE AND REGULATORY INFORMATION. BUSINESSES LOCATED OUTSIDE OF HOUSTON CITY LIMITS OR HARRIS COUNTY MUST CONTACT THEIR CITY HALL OR COUNTY CLERK'S OFFICE FOR REQUIREMENTS. AGENCIES CHECKED BELOW ARE BASED ON YOUR ANSWERS TO OUR QUESTIONNAIRE. (TDD can be reached by calling 711)

www.houstontx.gov (311)

☐ **CERTIFICATE OF OCCUPANCY (CO): 713-535-7730 (PWE)**

3301 Travis, 1st Floor. A Certificate of Occupancy must be obtained before a commercial building or an individual lease space within a commercial building may be occupied, or if changes to an existing occupancy classification are made. If no Certificate of Occupancy is posted the owner or agent will be given a 10-day notice to make an application and pay inspection fees. If the owner or agent fails to comply, citations may be issued each day until the application is made and fees are paid.

Residential dwellings, residential garages, sheds, and residential carports are exempt from certificates of occupancy. If you are uncertain about whether or not your building or lease space requires a Certificate of Occupancy or a Life Safety Certificate, please call the Occupancy Inspection Section at (713) 535-7730.

HARRIS COUNTY "NO ZONING LETTER" - www.eng.hctx.net/permits/pdf/zoneletterharriscounty.pdf

☐ **BUILDING PERMIT (also Demolition Permits): 713-535-7732 (PWE)**

3300 Main St, 1st Floor. Must be obtained prior to issuance of CO (Above). Plan review conducted for plumbing, structural, elevator, electrical, storm water, HVAC, and other systems, in addition to compliance with the Landscaping Ordinance. Applicant may also need an inspection for electrical, mechanical, and plumbing systems. ASBESTOS contractors must contact the Air Quality Control Bureau at 713-640-4200 for applicable regulations. Houston uses the 2002 International Building Code with local amendments (available by calling 713-535-7737). Elevators and escalators are regulated by the Texas Dept. of Licensing & Regulation. *HARRIS COUNTY requires "Development Permits", AS WELL AS OTHER PERMITS- Harris County Engineering (713-956-3000) www.eng.hctx.net/permits*

☐ **FOOD DEALERS, HANDLERS PERMITS: 713-794-9200 (Health Dept.)**

www.houstontx.gov/health/Food/index.html

8000 North Stadium Dr. (north of Astrodome). Food service businesses including caterers, restaurants, mobile food units, day care centers, manufacturing, packaging etc., require permits and periodic inspection. Weekly Food Manager's Certification classes are \$45 (Initial) or \$30 (Renewal), call 713-247-5245. A FREE facility inspection program is available for persons leasing or buying an existing food service business (Obtain free inspection first). For WIC Program information, call 713-794-9095, for Grease Trap inspections call 713-640-4399. *In HARRIS COUNTY call 713-439-6270; In FORT BEND CO. call 281-342-7469.*

☐ **COMMERCIAL PERMITTING & ENFORCEMENT SECTION: 713-837-9555 (F&A)**

611 Walker, 2nd Floor. Permits are issued yearly for sale of Second-Hand Merchandise; Roadside Vendors (*Roadside Vendors are NOT ALLOWED on public rights-of-way in unincorporated Harris Co. Call 713-755-5000*); Charitable Solicitation; Antique Dealers; Alcoholic Beverages; Amusement & Game Machines (Non-Food); Flea Markets; Dance Halls; Scrap Dealers; Mini Warehouses; Loudspeaker Operation & Others. For **Property Liens**, call 713-837-9550. Hotel Occupancy Tax, call 713-837-0608, and 713-368-2000 for the Harris County Tax Assessor. For Out-Of-Business permits, call the HCAD at 713-957-5627.

☐ **TRANSPORTATION DIV: (Regulatory Services, F&A) 281-233-7860**

5050 Wright Rd. Regulates Jitneys, Taxis, Limos & School Buses, Sightseeing and Charter Services, Valet Parking Services, Chauffeured Limousine Services, Private School Vehicles. *In HARRIS COUNTY call 967-5870 for Wrecker Permits.*

☐ **SIGN PERMIT: 713-535-7900 (PWE)**

3300 Main St., 2nd Floor. You must obtain a permit to erect on and off-premises signs of all types, including wall, roof, marquee, ground, projecting, spectacular, and temporary signs. Within Houston's ETJ, off-premise signs must also have a permit. *In HARRIS COUNTY call 713-956-3000 for sign regulations.*

- ☐ **HOUSTON FIRE MARSHALL: 713-865-7100 (HFD)**
2931 W. 12th St., The HFD issues permits for: Dumpsters; Storage, handling, and manufacture of flammable liquids and combustibles; Public Assembly (maximum occupancy); Tents; and Open burning. *In HARRIS COUNTY the County Fire Marshall (281-931-1085) enforces the State Insurance Code.* Harris County Pollution Control (713-920-2831) and the TCEQ (713-767-3500) must be notified in the event of a toxic waste spill.
- ☐ **SUBDIVISION & DEVELOPMENT PLATS: 713-535-7777 (Planning)**
Development Services checks for the proper subdivision of land and for adequate street or right-of-way, building lines and for compliance with the City's land development ordinance. Commercial projects are checked for compliance with off-street parking and tree and shrub requirements. The location of certain projects, such as hotels and motels, cell towers, and hazardous chemical storage is regulated by city ordinance and enforced by this division. **Subdivision plats** are required for developing or redeveloping most land within the Houston city limits and Extra-Territorial Jurisdiction (ETJ). The ETJ is five miles out from the city limits. For applications and information about subdivision plats please call (713-837-7880, located at 611 Walker St., 6th floor. **Development Plats (DP)** are site plans that are required during the building permit process. DP's are required when there is development through new construction or enlargement of a building, structure or improvement within the city or ETJ. For applications call 713-535-7777, located at 3300 Main St.
- ☐ **BUREAU OF AIR QUALITY CONTROL: 713-640-4200 (Health Dept.)**
7411 Park Place Blvd., Suite 200. The Bureau has jurisdictions within the city limits. Enforces and conducts inspections of all facilities for compliance with federal and state air pollution rules and regulations. The Bureau is also responsible for City of Houston ordinances requiring registration and payment of annual permit fees. These fees are valid for one year and are non-transferable. See also TCEQ (P.6) & EPA requirements (P.9).
- ☐ **HOUSTON POLICE DEPT. (HPD) PERMITS: 713-308-1200 (HPD)**
www.houstontx.gov/police/phone.htm
Auto Dealers / Repair / Parts Sales (713-308-1440, 1200 Travis, 14th Floor); Auto Storage (713-247-5687); Pawn Shops (713-731-5964); Shooting Galleries/Ranges (281-230-2480); Firearms contact Federal BATF; Sexually Oriented Businesses (Vice Unit: 713-308-8600).
- ☐ **CITY OF HOUSTON SMOKING ORDINANCE: 713-640-4359 (Health Dept)**
www.houstontx.gov/health/Environmental/newsmoking.pdf
Enforces the No-Smoking Ordinance and the Cigarette Vending Machine Ordinances. New version in effect 9-5-06
- ☐ **WASTEWATER CAPACITY RESERVATION / IMPACT FEES: 713-535-7888 (PWE)**
www.publicworks.cityofhouston.gov/utilities/docs/wwops.pdf
3300 Main St., 1st Floor. If you change or intensify the use of an existing building, or develop raw land you must apply for a WCR. Small, service oriented, or home-based businesses rarely require a WCR. For city industrial waste permits and pre-treatment information, call 281-575-2800. *In HARRIS or other counties, contact the applicable municipal utility district for water and wastewater availability and rates.*
- ☐ **CITY SECRETARY: 713-247-1840 (Codes and Ordinances)**
www.houstontx.gov/codes/index.html

CORPORATIONS, LIMITED PARTNERSHIPS & NON-PROFITS

- ☐ **SECRETARY OF STATE: 512-463-5555 or 512-463-5586 (number often busy)**
www.sos.state.tx.us/corp/forms.shtml
Corporations Sect. Filing fee: At least \$300.00. Registers Corporate Names, Limited Partnerships, LLC's, S Corps, Certificate of Authority, NON-PROFIT agencies, state-wide DBA's, and others. **NOTARIES** call 512-463-5705. Other businesses regulated include: Athlete Agents & Auto Clubs, and Business Opportunities (512-475-1769); Health Spas, Membership Resorts & Camping, Credit Services, Wrestling Promoters, and Debt Collection (512-463-6906); **Telemarketing** (800-648-9642 for Non-Profits; 512-475-0775 for Others). For **Trademarks** call 512-463-5576.

PLEASE GO TO THESE PAGES WITHIN PACKET:

- ☐ **See Page 5-** "LOCAL AND STATE REGULATIONS"
- ☐ **See Page 9-** "FEDERAL REGULATIONS"
- ☐ **See Page 11-12** "EMPLOYER RESPONSIBILITIES"
- ☐ **See Page 17-18** "DEED RESTRICTIONS AND HOME-BASED BUSINESSES"

LOCAL & STATE REGULATIONS

HOUSTON ONE STOP BUSINESS CENTER, P.O. Box 1562, Houston, Tx. 77251 - Ph.: 713-247-2982

PLEASE CONTACT AGENCIES CHECKED BELOW FOR REGULATIONS, REQUIREMENTS, FEES, LOCATIONS AND PROCESSING TIMES. (Area codes are 713 unless noted; "800" denotes toll-free calls). **YOUR BUSINESS MAY BE REGULATED IN MORE THAN ONE CATEGORY.**

City of Houston (COH) / Harris County (HC) Agencies

www.houstontx.gov / www.co.harris.tx.us

- **BURGLAR AND PANIC ALARMS (COH & HC)** Inside city limits, call the Houston Police Dept. for first-time applications, at 713-308-1400 (1200 Travis, 14th Floor). In HARRIS CO., call the Sheriff's Office (Alarm Detail) at 713-755-4600 for commercial and residential alarms.
- **HARRIS COUNTY BAIL BOND BOARD (HC)** (713-755-8040) 49 San Jacinto. Bail bond agencies.
- **HARRIS COUNTY TAX OFFICE (HC)** (713-368-2000) 1001 Preston. Amusement Machines (713-368-2151), Motor vehicle registration (713-368-2000), Disabled parking permits.
www.tax.co.harris.tx.us
- **HARRIS COUNTY SHERIFF (HC)** (713-967-5795) Pawn Shops, Firearm sales. Sexually Oriented Business Permit (SOBP) (713-450-1623), Wrecker permits (713-967-5870, see also Texas DOT & the City of Houston).
- **EMS Bureau (COH)** (713-640-4370) 7411 Park Place. Regulates public and private ambulance and EMS providers.
- **PUBLIC HEALTH ENGINEERING BUREAU (COH)** (713-640-4399) 7411 Park Place. Hazardous Waste, Swimming Pools, Spas, Landfills, Underground Storage Tanks (incl. gasoline stations & dry cleaning), Sewage Treatment Plants, Grease Traps, Auto Washing and Detailing (call for details), Waste Transport Vehicles (713-640-4276).
- **OCCUPATIONAL HEALTH BUREAU (COH)** (713-640-4359) 7411 Park Place. Indoor air pollution sources, Radiation, Infectious & Medical Waste Inspections, Licensed Funeral Homes, Lasers & Laser Beam Shows, Microwaves, Lead-based paint.
- **BUREAU OF ANIMAL REGULATION & CARE (COH)** (713-238-9600) Kennel licensing, assistance dogs. In HARRIS CO. call 281-999-3191.
- **TRAFFIC & TRANSPORTATION DIV. (COH)** (713-837-7280) 611 Walker, 5th Floor. Parade, parking, barricade, street closing, sidewalk cafes, and curb numbering contractor permits.
- **NEIGHBORHOOD PROTECTION CORPS (COH)** (713-525-2525, Complaints) 2636 South Loop West. Building demolition, weed control, neighborhood nuisances.

CALL FOR LOCATIONS, FEES, AND REQUIREMENTS (713 area codes)

AC/BOILER INSPECTIONS	535-7755	PLANNING & DEVELOPMENT	837-7707(W)
BUILDING PERMITS/LICENSES	535-7800	PLAN REVIEW (Permits/records)	535-7548
PLUMBING INSPECTIONS	535-7700	EARTH HAULING PERMITS	535-7740
STRUCTURAL INSPECTIONS	535-7800	SPRINKLERS (Building)	535-7700
ELECTRICAL INSPECTIONS	535-7600	TRAFFIC ENGINEERING	535-7579
ELEVATOR INSPECTIONS	535-7755	WASTEWATER (Sewer)	535-7675
FLOOD PRONE AREAS	535-7605	WATER (Taps & meters)	535-7679
HEALTH DEPT. (PLAN REVIEW)	535-7772	STATIONARY ENGINEERS	535-7755
MECHANICAL INSPECTIONS	535-7755	WATER/SEWER CUSTOMER SERVICE	371-1400
MICROFILM RECORDS	535-7726		

State of Texas Agencies 1-800-888-0511

www.texasonline.com

www.tded.state.tx.us/guide/GENERALBUSINESSREGULATIONS.html

ENVIRONMENTAL AGENCIES

- ☐ **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (Formerly TNRCC)** (713-767-3500 or 1-800-648-3927) *The SMALL BUSINESS ASSISTANCE PROGRAM (800-447-2827) assists businesses in complying with the Federal Clean Air Act. The TCEQ regulates manufacturers, auto dealers, engine repair shops, auto body shops, dry cleaners, printers, waste hauling, a/c service, printing shops, furniture mfg. and repair, metal fabrication and finishing, refineries, auto inspection, gasoline stations, septic tank systems, bakeries and others. TCEQ also enforces storm water discharges from, construction sites under the TPDES Construction Permit (developments as small as 1 acre). City of Houston businesses also contact the Air Quality Control Bureau at 713-640-4200. For landfill regulations, hazardous waste storage & transportation, tire disposal/recycling, waste processing or disposal facilities, call 713-767-3500 or 512-239-6665.*
- ☐ **GENERAL LAND OFFICE** (512-475-1575) *Oil Spill Prevention & Response Plan. Coastal facilities that handle oil must have a prevention and clean-up plan approved by GLO.*
- ☐ **RAILROAD COMMISSION** (713-869-5001). *Oil and Gas Division (Mining activities, and natural gas dealers and handlers). Pipeline Safety Division regulates wells and audits gas utilities (713-869-5769).*

TRANSPORTATION & MOTOR VEHICLES

- ☐ **AVIATION, Department of** (512-416-4500). *Air fields, airports, state facilities.*
- ☐ **MOTOR VEHICLE BOARD** (713-681-6637). *Registration & title information. Motor vehicle dealers license (incl. motorcycles, trailers, etc.) (512-416-4800).*
- ☐ **PUBLIC SAFETY, Department of** (512-465-2000). *After-market auto glass tinting, Hazardous waste transport (512-873-3100). Vehicle Inspection Stations (281-272-1150). ATV and motorcycle instructor permit (512-465-2021).*
- ☐ **PUBLIC SAFETY, Department of (License Issuance Bureau)** (713-633-9872) *8825 West Tidwell and other Houston locations. Issues all private, commercial, and motorcycle driver's licenses. Call for hours and locations.*
- ☐ **TRANSPORTATION, Department of** (713-869-4571). *TXDOT controls access to state highways, oversize and overweight loads (including portable building transport, escort vehicles, and manufactured housing and oversized equipment), right-of-way leasing for billboards. Aviation and state facilities (512-476-9262). The **Motor Carrier Division** (800-299-1700 option 3) registers trucking: Vehicles over 26,000 pounds (cargo or passengers), 16+ passenger buses, Hazardous waste transporters, Wreckers, movers. For vehicle storage facilities call 512-463-8620. For oversized load permits within the City of Houston, call 713-754-0830.*

GENERAL PERMITS AND LICENSES

- ☐ **ADULT DAY CARE, NURSING, and PERSONAL CARE FACILITIES** (713-767-2700). *The Dept. of Human Services regulates Adult Personal Care, Day Homes, and Adult Foster Care Homes, some Halfway Houses and Group Homes, Long-term care facilities.*
- ☐ **AGRICULTURE DEPARTMENT** (713-921-8200 or 1-800-835-5832). *Regulates Nursery Products and Floral items (incl. Short-term sales) (512-463-4583), Weights and Measures (issues seal for scales, gas pumps, etc.), Antifreeze Mfg. Permit. Enforces Texas Egg Law for egg handling (512-463-7583) and handling of Texas-grown vegetables (512-463-7604). Also regulates and licenses Fish Farms/Aquaculture (512-463-7583).*
- ☐ **ANIMAL HEALTH COMMISSION** (512-719-0700). *Regulates exotic livestock and fowl.*
- ☐ **ATTORNEY GENERAL** (512-463-2100) *Complaints, Raffles, Deceptive Trade. Consumer Protection Div. (713-223-5886).*
- ☐ **BANKING DEPARTMENT** (713-932-6146). *Automatic Teller Machines (ATM's), Pre-paid Funeral Service accounts, Perpetual Care Cemeteries, Currency Exchanges. Trust Company Loans/Investments (512-475-1300).*
- ☐ **CONSUMER CREDIT COMMISSION** (1-800-538-1579). *Regulates consumer installment loans, interest rates, credit card & store card issuance & pawn shops. Contact if you extend credit to customers.*
- ☐ **FEED & FERTILIZER CONTROL SERVICE** (979-845-1121). *Regulates feed, pet food and fertilizer manufacturers.*
- ☐ **HEALTH DEPARTMENT** (713-767-3000). *Licenses for Food and Drug Mfg., Shellfish Sanitation. For Milk and Dairy Product handling call 713-414-6125 x128.*
- ☐ **PARKS & WILDLIFE DEPARTMENT** (1-800-792-1112 TF). *Fur, Seafood Dealers- retail & wholesale, Hunting & Fishing*

Licenses (ask about new license program "Texas Outdoor Connection"). Also issues Fishing Guide permit. Boat Registration, call 1-800-262-8755.

- ☐ **PUBLIC UTILITY COMMISSION** (512-936-7120 Office of Consumer Affairs). *Regulates Automatic Dial Announcing Devices (ADAD's), Long Distance Services, Telephone and Electrical Companies.*
- ☐ **RESIDENTIAL & DAY CARE LICENSING** (713-940-5200 or 1-800-862-5252). *Dept. Of Family and Protective Services regulates Child Day Care / Administrators, Adoption Agencies, drop-in care facilities, and group/family day care homes.*
- ☐ **SAVINGS AND LOAN DEPT.** (512-475-1350). *Regulates mortgage brokers and loan officers, banks.*
- ☐ **TEXAS MUSIC OFFICE** (Office of the Governor) (512-463-6666) *A clearinghouse for Texas music industry information. Provides referrals to Texas music businesses, talent and events to attract new business to Texas.*
[**WEBSITE:** www.governor.state.tx.us/music/index.htm]

PROFESSIONAL LICENSES

- ☐ **APPRAISER LICENSING & CERTIFICATION BOARD** (512-465-3950). *All real estate appraisers.*
- ☐ **ARCHITECTURAL EXAMINERS BOARD** (512-305-9000). *Interior Designers, Landscape Architects.*
- ☐ **BAR OF TEXAS, STATE** (1-800-204-2222). *Legal offices, law firms, paralegal (info only).*
- ☐ **BOARD OF PROFESSIONAL LAND SURVEYORS** (512-452-9427). *All surveyors and related activities.*
- ☐ **COSMETOLOGY COMMISSION** (1-800-943-8922). *Beauty, Nail Salons & Cosmetologists. Barbers call 1-888-870-8755.*
- ☐ **COURT REPORTERS CERTIFICATION BOARD** (512-463-1630).
- ☐ **DEAF AND HEARING IMPAIRED, COMMISSION FOR THE** (512-451-8494 or 1-800-332-3873). *Sign Language Interpreter certification.*
- ☐ **ENGINEERS REGISTRATION BOARD** (512-440-7723). *All types of engineers.*
- ☐ **FUNERAL SERVICE COMMISSION** (512-936-2474). *Regulates Morticians, Funeral Directors & Homes, Embalmers.*
- ☐ **GEOSCIENTISTS, BOARD OF PROFESSIONAL (New)** www.tbpg.state.tx.us *Regulates all geoscientists-professional certification required as of September 2003.*
- ☐ **HOUSING & COMMUNITY AFFAIRS, DEPT. OF** (800-500-7074). *Regulates manufacturers, retailers, installers, brokers, salvagers/rebuilders, and salespersons of manufactured housing in Texas (1-800-500-7074). Callers outside Texas: 512-475-2200.*
- ☐ **INSURANCE, DEPARTMENT OF** (800-252-3439 TF). *Insurance agencies, sales, continuing care facilities. Also regulates Amusement Rides & BUNGEE (512-322-3435), Adjusters & Title Insurers (512-322-4361), Bail bondsmen (512-322-3503).*
- ☐ **IRRIGATORS BOARD** (512-239-6719). *Lawn Sprinkler System Installers.*
- ☐ **LAND SURVEYING BOARD** (512-452-9427). *Land and property surveyors.*
- ☐ **LICENSING & REGULATION, Department of** (713-924-6300; 1-800-803-9202). *TDLR regulates: Auctioneers, AC & Refrigeration Contractors (also for duct cleaning and purchasing of refrigerant products), Boiler Operation & Inspection, Combative Sports, Court Interpreters, Career Counseling, **Electricians (new)**, Personnel Employment Services (Permanent Placement), Staff Leasing, Service Contract Providers, Talent Agents and Agencies, Industrialized Housing & Buildings and Property Tax Consultants. TDLR also regulates Elevators, Escalators, and their inspection (800-252-8026).*
- ☐ **PLUMBING EXAMINERS BOARD** (512-458-2145 or 800-845-6584). *All plumbers. See COH also.*
- ☐ **POLYGRAPH EXAMINERS BOARD** (512-464-2058)
- ☐ **TEXAS COMMISSION ON PRIVATE SECURITY** (512-424-7710). *Security System Consultants and sales, Installers, Dog Trainers, Alarm systems monitors, Security officers.*
- ☐ **PUBLIC ACCOUNTANCY BOARD** (512-305-7800). *Certified Public Accountants.*
- ☐ **REAL ESTATE COMMISSION** (512-465-3989 or 800-250-8732). *Agents / Brokers / Offices. For real estate Inspectors/professional inspectors call 512/465-3915.*
- ☐ **STATE FIRE MARSHALL** (512-918-7100). *Fireworks displays. Also regulates businesses involved in planning, certifying, leasing, selling, servicing, installing, monitoring, and maintenance of fire detection and fire alarm devices and systems, including fire extinguishers.*
- ☐ **STATE SECURITIES BOARD** (713-781-1094 or 512-305-8300). *Securities dealers & brokers, financial consultant or investment adviser permit. \$275 initial fee.*
- ☐ **STRUCTURAL PEST CONTROL BOARD** (512-305-8250)
- ☐ **VETERINARY MEDICAL EXAMINERS BOARD** (512-305-7555).

GENERAL REGULATORY AGENCIES

- ☐ **ALCOHOLIC BEVERAGE COMMISSION (TABC)** (713-426-7900, 800-622-5991). *Alcohol retailers, Wholesalers, Restaurants, Breweries, Producers etc. Physicians or Lab Alcohol Permit (512-458-2500). See also the HARRIS COUNTY CLERK for various alcoholic beverage sales permits (713-755-6405).*
- ☐ **CONCEALED HANDGUN PERMIT, Dept. of Public Safety** (800-224-5744). Includes personal concealed carry and instruction.
- ☐ **EDUCATION AGENCY (Driver Training & Education Div.)** (512-997-6500) *Regulates and licenses driver education schools, driving safety schools, and related instructors.*
- ☐ **TEXAS WORKFORCE COMMISSION (Career School Licensing)** (512-719-5244). *Proprietary Business Schools & Veterans Education Div. (512-936-3100). Driver's Education Trainers call 512-719-5247. All private and technical schools issuing a certificate for completion of course work must meet TEA requirements. For info on CHILD LABOR, call 512-463-8812.*
- ☐ **LOTTERY COMMISSION** (800-37-LOTTO). *Application for Lottery Retailer License, Charitable Bingo operation.*
- ☐ **PARDONS AND PAROLES BOARD** (512-406-5750). *Offender rehabilitation, Halfway houses.*
- ☐ **RACING COMMISSION** (512-833-6699). *Parimutuel racing and related professions, activities.*
- ☐ **STATE TREASURER** (800-862-2260). *Sale of tobacco products now licensed by the State Comptroller (800-862-2260). Ask about new posting rules for tobacco retailers and vending machines effective 1-1-98.*
- ☐ **STATE BOARD FOR EDUCATOR CERTIFICATION** (888-863-5880). *For Texas public and private school teachers.*
- ☐ **TEXAS ETHICS COMMISSION** (800-325-8506). *Lobbyists.*

HEALTH-RELATED LICENSES/SERVICES

- ☐ **CHIROPRACTIC EXAMINERS BOARD** (512-305-6700)
- ☐ **COMMISSION ON ALCOHOL & DRUG ABUSE** (512-349-6606). *Alcohol & substance abuse clinics, counseling.*
- ☐ **DENTAL EXAMINERS BOARD** (512-463-6400). *Issues and verifies licenses for Dentists, Dental Hygienists & Commercial Dental Labs.*
- ☐ **DIETICIANS EXAMINERS BOARD c/o TDH** (512-834-6601).
- ☐ **HEALTH DEPARTMENT** (713-767-3000- Region, 512-458-7111- State). *Areas regulated by TDH: Bedding Law (Upholstered Furniture), Youth Camps, Hazardous Substances (Glue, Paint, etc.); Paramedics; Athletic Trainers (512-834-6615); Massage Therapists (512-834-6616); Home Health Care Facilities (512-458-7240); Hospital Licensing (512-834-6645); Marriage & Family Therapists (512-834-6657); Midwives (512-458-7700); Nursing, Personal & Residential Care Homes (713-767-2200); Physical Therapists (512-305-6900); Professional Counselors (512-834-6658); Respiratory Care Practitioner (512-834-6632); Speech-Language Pathologists & Audiology (512-834-6627); Social Workers Examiners Board (1-800-232-3162); Tattoo Studios (512-458-7236); Licensed Medical Physicists (512-834-6655); Medical Radiologic Technologists (512-834-6617); Perfusionists (512-834-6602).*
- ☐ **HEARING AID FITTING AND DISPENSING BOARD c/o TDH** (512-834-6784)
- ☐ **MEDICAL EXAMINERS BOARD** (512-305-7030). *Physicians, including Acupuncture. Consumer complaints call 800-248-4062.*
- ☐ **NURSE EXAMINERS BOARD** (512-305-7400). *Nurse aid registry, medication aids (800-452-3934), Vocational nurses (512-305-8100).*
- ☐ **OPTOMETRY BOARD** (512-305-8500). *Optometrists, Opticians (512-834-6661 TDH) and contact lens dispensing, sales & service (512-834-4515 TDH). Vision screeners call 512-458-7420.*
- ☐ **PHARMACY BOARD** (512-305-8000). *Pharmacists, plus home health medication aide (512-834-6618).*
- ☐ **PODIATRY EXAMINERS BOARD** (512-305-7000). *Regulates professional podiatrists.*
- ☐ **PSYCHOLOGISTS EXAMINERS BOARD** (512-305-7700).
- ☐ **RADIATION CONTROL BUREAU c/o TDH** (713-767-3252; 512-834-6688). *Tanning Salons, X-ray machines. Licenses to possess or use radioactive materials are issued by the Low-Level Radioactive Waste Disposal Authority (512-451-5292).*
- ☐ **REHABILITATION COMMISSION, Houston Regional Office** (713- 735-3470 V & TDD or 1-866-281-1804). *The VOCATIONAL REHABILITATION PROGRAM regulates and serves people with a wide variety of disabilities and provides retraining activities, job placement assistance and counseling. See also Texas Health Dept. for Halfway Houses for the mentally impaired (713-995-1112).*

FEDERAL REGULATIONS

HOUSTON ONE STOP BUSINESS CENTER, P.O. Box 1562, Houston, Tx. 77251 - Ph. 713-247-2982

CONTACT THE FEDERAL AGENCIES CHECKED BELOW FOR REGULATIONS, ADMINISTRATIVE REQUIREMENTS, FEES, LOCATIONS AND PROCESSING TIMES. **PLEASE READ THIS ENTIRE DOCUMENT AND CONTACT THE AGENCIES BOTH CHECKED AND UNCHECKED AS NECESSARY.**

FEDERAL AGENCY WEBSITE: www.lib.lsu.edu/gov/fedgov.html

FEDERAL RELAY SERVICE (FRS): www.fts.gsa.gov/frs/tollfree.htm

FOR IMPORT / EXPORT LICENSES:

☐ **U.S. CUSTOMS SERVICE:** 281-985-6700 (x 6814) (NEW!)

www.cbp.gov/xp/cgov/import/

2350 N. Sam Houston Pkwy. E

IMPORT regulations on all goods brought into the U.S. Depending on the goods imported, other local, state and federal agencies may also apply, such as the US Dept. of Agriculture, the Fish and Wildlife Service, or the EPA. Customs Brokers are also licensed by the Texas State Comptroller (800-531-5441 x50381). All mail originating in foreign countries and U.S. overseas territories is subject to Customs examination upon entering the US.

☐ **INTERNATIONAL TRADE ADMINISTRATION (Export Assistance Center):** 281-449-9402

www.export.gov

15600 John F. Kennedy Blvd., Suite 530, Houston, TX 77032-2349

Regulates all EXPORTING activities. The ITA provides industry and country analysis for businesses, and counseling through its Commercial Service. The ITA has a business library available to exporters in its Houston office. The Trade Information Center (TIC) can answer questions and assist new exporters via their 1-800-USA-TRADE.

FOR THE FEDERAL OPERATOR call 800-333-4636 (800-FED-INFO)

- ☐ **AGRICULTURE DEPT. (USDA):** 202-720-2791 (DC Main #). Animal & Plant Inspection & Quarantine (956-504-4150 Brownsville). Inspects foreign plants, plant products & byproducts for Import & Export. Food Safety Inspection Service, Import Meat Inspection (214-767-9116); Grain Inspection (281-338-2787); Fruit & Vegetable Div./Processed products (210-804-1478). FOOD STAMP SALES call 703-305-2286.
- ☐ **BUREAU OF ALCOHOL, TOBACCO & FIREARMS (BATF):** 281-372-2900 or 800-398-2282 for forms and applications. Regulates wholesaling, manufacture (incl. breweries and brew pubs), mfg., and Import/Export.
- ☐ **COAST GUARD MARINE INSPECTION OFFICE (DOT):** 713-671-5180. Tank, freight, vessel inspections.
- ☐ **COMMODITY FUTURES TRADING COMMISSION:** 202-418-5080. Commodities brokers and trading activities.
- ☐ **CONSUMER PRODUCT SAFETY COMMISSION:** 713-209-3447. The CPSC administers a wide range of product safety standards. Call 800-638-2772 for Toll Free recorded information.
- ☐ **COPYRIGHT OFFICE / Library of Congress:** 202-707-3000. Public Information Office. Forms & Applications Hotline (202-707-9100). **WEBSITE:** www.copyright.gov
- ☐ **ENVIRONMENTAL PROTECTION AGENCY (EPA):** 281-983-2100. Regulates all pollution sources. See also the Texas Natural Resource Conservation Commission (Airborne pollutants, hazardous waste transportation, storage and disposal). "Right-to-Know" Disclosure Info (800-535-0202). EPA SMALL BUSINESS REGULATORY HOTLINE (800-368-5888).
- ☐ **FEDERAL AVIATION ADMINISTRATION (DOT):** 281-230-5300. Aircraft and facilities operations.
- ☐ **FEDERAL COMMUNICATIONS COMMISSION (FCC):** 1-888-225-5322. Regulates radio & television, telephone

(including 800, 888, and 900 numbers), telegraph, satellite communication, two-way radio, cable television, and computer manufacturing. The Mobile Services Div. regulates cellular telephone networks. No FCC Houston office.

- ☐ **FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (DOT)** Issues USDOT Number for interstate trucking. Data Analysis & Information Systems, MC-RIS, 400 7th Street, SW, Washington, D. C. 20590, or fax it to 1-703-280-4003, or 2) call 1-800-832-5660 to request an MCS-150 to be mailed to you.
Website / FAQ: www.63.72.112.205/news.htm#adds
- ☐ **FEDERAL TRADE COMMISSION (FTC):** 877-382-4357 (Regional Office/Dallas: 214-979-0213). The FTC regulates Mail Order (see Texas State Comptroller for Sales Tax collection requirements), Used Car Sales (Odometer setbacks), Care Labeling, Fair Packaging and Labeling, Consumer Leasing, Door-to-door sales, Appliance Labeling & Octane Posting, and other business activities such as Debt Collection and Advertising.
→ For information on Telemarketing and the Federal **DO NOT CALL** Registry, go to the following website:
www.ftc.gov/bcp/online/edcams/donotcall/index.html
- ☐ **FISH & WILDLIFE SERVICE INSPECTION OFFICE:** 713-672-4420. Regulates Import/Export of all fish & wildlife.
- ☐ **FOOD AND DRUG ADMINISTRATION (FDA):** NO HOUSTON OFFICE. (214-253-4952) Regulates food and drug manufacturing, labeling and sales. Also regulates the manufacture and use of medical devices, and radiation-emitting electronic products. Regulates pet food, animal drugs, feed, additives, and veterinary medical devices.
Also: 1-888-INFO-FDA (1-888-463-6332)
- ☐ **HOUSING & URBAN DEVELOPMENT (HUD):** 713-313-2274. Regulates mobile home manufacturing.
- ☐ **IMMIGRATION & NATURALIZATION SERVICE (INS):** 281-847-7900. SEE "Employer Responsibilities". For VISA's call 281-847-7900.
- ☐ **INTERNAL REVENUE SERVICE (IRS):** 281-541-0440 or 713-643-8000. SEE "Minimum Requirements".
- ☐ **INTERSTATE COMMERCE COMMISSION:** ICC has been phased out.
- ☐ **JUSTICE DEPT. ANTITRUST DIVISION:** 202-514-2401. Antitrust laws apply to every phase of business, and prohibit practices such as price fixing, restraint of trade, and mergers that reduce competition.
- ☐ **MARITIME COMMISSION, FEDERAL:** 202-523-5707 (Houston office is closed). Regulates all ocean-based freight forwarding.
- ☐ **NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (DOT):** 1-800-424-9393. Regulates motor vehicle and parts mfg. including replacement parts for motor vehicles. Auto Safety Hotline (800-424-9393 TF).
- ☐ **NATIONAL LABOR RELATIONS BOARD:** 713-718-4632.
- ☐ **OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION (OSHA):** 281-591-2438 or 281-286-0583
- ☐ **OFFICE OF HAZARDOUS MATERIALS TRANSPORTATION (DOT):** 202-366-0656. Also regulates pipeline safety from its Houston office (713-718-3950).
- ☐ **OFFICE OF LABOR MANAGEMENT STANDARDS:** 713-209-3135. Administers Labor-Management Reporting and Disclosure Act, as well as labor union activities.
- ☐ **PATENT AND TRADEMARK OFFICE:** 703-308-4357 (1-800-786-9199). General information on registering patents. Patent searches can be performed at the Rice University Patent Library (713-348-5483).
- ☐ **POSTAL SERVICE BUSINESS CENTER, U.S.:** 713-226-3350, 401 Franklin St. Call for Bulk Mail rates and regulations, Business Reply Mail, Bar Coding and Zip+4 Coding. FREE "POSTAL ANSWER LINE" at 1-800-725-2161.
- ☐ **SECURITIES & EXCHANGE COMMISSION:** 817-978-3821 (Fort Worth) (1-800-732-0330). Regulates investment advisors, securities dealers & brokers.
- ☐ **STATE DEPARTMENT, U.S.:** For Passports call the Automatic Appointment System at 713-751-0294. National Passport Information System: 1-888-362-8668 (\$5 charge).
- ☐ **TREASURY DEPT. (IRS):** 281-721-7741. Businesses having large currency transactions must follow specific record keeping and reporting procedures. This includes businesses such as: Check cashers, Travel agencies, Liquor stores, Food stores, Convenience stores, Currency exchanges, Money order issuers, Banks, Misc. retail, and Pawn shops.

EMPLOYER RESPONSIBILITIES

HOUSTON ONE STOP BUSINESS CENTER, P.O. Box 1562, Houston, Tx. 77251 - PH: 713-247-2982

THE FOLLOWING AGENCIES REGULATE BUSINESSES WITH EMPLOYEES. TO DETERMINE WHETHER OR NOT YOU HAVE EMPLOYEES, OR FOR INFORMATION ON CONTRACT EMPLOYEES AND EMPLOYEE LEASING, CALL THE TEXAS WORKFORCE COMMISSION. FOR SPECIFIC LAWS OR STATUTES, CONTACT THE INDIVIDUAL AGENCY.

SEE ALSO: www.tded.state.tx.us/guide/STEP4.html

◆ **TEXAS WORKFORCE COMMISSION** www.twc.state.tx.us
281-933-3858 (1-800-832-9394)

12455 Beechnut, Houston. The TWC Tax Office handles Unemployment Insurance Taxes and the State Employment I.D. Number. CALL THE TWC IF YOU HAVE QUESTIONS ABOUT BEING AN EMPLOYER VERSUS A CONTRACTOR. The Payday Law Unit is at 800-832-9243. TWC also administers the Texas Unemployment Compensation Act (TUCA), the Texas Child Labor Law, the Texas Payday Law, and the Texas Minimum Wage Act. UNEMPLOYMENT INSURANCE HOTLINE: 800-558-8321.

◆ **TEXAS NEW HIRE PROGRAM** www.newhire.org/tx/
1-888-839-4473

P.O.Box 149224, Austin, 78714. **Effective October 1, 1998**, in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act (**PRWORA**) of 1996, all Texas employers will be required to report certain information on newly hired and rehired employees to a State Directory of New Hires. Under federal welfare reform legislation enacted last year, New Hire Reporting is a program for the reporting by employers of information on newly hired employees to the Employer New Hire Reporting Operations Center within 20 days after the date a new employee is hired. The employee information is entered into a statewide registry and then transmitted to the National Directory of New Hires. The entries on the State and National registries are compared to databases of various state agencies, including the Child Support Program. The information contained in the directories will be used by the Child Support Program to locate parents who have not paid their child support obligations. Once these parents are located, it may be possible to establish new child support orders or modify and enforce existing orders.

◆ **TEXAS WORKERS' COMPENSATION COMMISSION** twcc.state.tx.us
713-943-0800 (TDD: 7-1-1)

1445 N. Loop West, #600. Employers with 15 or more employees, and maintain Workers' Compensation insurance coverage shall adopt a policy designed to eliminate drugs, alcohol, inhalants, and illegal drugs from the workplace. TWCC has a **HEALTH & SAFETY HOTLINE** (1-800-452-9595) for reporting unsafe working conditions, and a **GENERAL INFORMATION HOTLINE** (1-800-252-7031). For outside City of Houston, Call 800-372-7713 for handling Workers' Compensation claims.

◆ **EQUAL EMPLOYMENT OPPORTUNITY COMMISSION** www.eeoc.gov
713-209-3320 (TDD: 713-209-3439)

1919 Smith St., 7th Floor. Title VII of the Civil Rights Acts of 1964 and 1991, prohibits discrimination in hiring, promotion, discharge, pay and fringe benefits, on the basis of race color, religion, sex, or national origin. The **AMERICANS WITH DISABILITIES ACT (ADA)**, as pertaining to employment, is enforced by the EEOC. The U.S. Justice Dept. enforces the ADA as it relates to public accommodations and communications. Employers must display the "EEOC Poster" conspicuously in the workplace. The EEOC also enforces the Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

♦ **IMMIGRATION AND NATURALIZATION SERVICE** www.ins.usdoj.gov
800-375-5283 & 281-847-7900 (TDD: 800-767-1TDD)

509 North Belt. The Immigration Reform and Control Act of 1986 states that employers should hire only U.S. citizens and aliens authorized to work in the U.S. You must verify employee eligibility for anyone hired after Nov. 6, 1986, and must complete and retain "Form I-9". Call for Handbook M-274. Forms are available by calling 1-800-870-3676.

♦ **OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION** www.osha.gov
281-286-0583 or 281-591-2438

17625 El Camino Real, Suite 400. Certain businesses must maintain records on occupational illnesses and injuries and are subject to OSHA inspections. Most businesses with employees must display the "OSHA Poster".

♦ **U.S. DEPT. OF LABOR, Wage & Hour Division** www.dol.gov
713-339-5500 (New)

9990 Richmond Ave., #202. Inquire as to Minimum Wage Requirements, overtime, and child labor recording under the Fair Labor Standards Act. DOL also has Fair Labor Standards Act and Polygraph Protection Act posters for applicable businesses. Current wage scales are: Federal Minimum Wage- \$5.15/hour; Youth Subminimum Wage- \$4.25/hour; Texas State Minimum Wage- \$3.35/hour (applies to employees not covered by the Federal Fair Labor Standards Act- enforced by the Texas Workforce Commission, Labor Law Dept.). The U.S. DOL also enforces the Family and Medical Leave (FMLA) Act of 1993. The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons.

♦ **PENSION & WELFARE BENEFITS ADMIN.** www.dol.gov/dol/pwba
214-767-6831

The PWBA enforces the Employment Retirement Income Security Act of 1974 (ERISA), which requires administrators of private pension and welfare plans to provide plan participants with easily understandable summaries of plans; to file those summaries with the National PWBA, Summary Plan Description Office at 202-219-8769. PBWA also administers COBRA (Consolidated Omnibus Budget Reconciliation Act) where terminated employees or those who lose health coverage because of reduced work hours may be able to buy group coverage for limited periods of time.

♦ **U.S. SOCIAL SECURITY ADMINISTRATION** www.ssa.gov
1-800-772-1213

Each employee must have a Social Security Number to work in the US. Employers must have proof of employees' SSN's to properly report earnings to the Social Security Administration, and to the IRS for income tax purposes.

FYI!!!

The **WorkSource** is a comprehensive human resources provider serving the 13-county Houston-Galveston Gulf Coast region. We help employers solve workforce-related business problems and individuals make career transition.

- * Job listings posted on public boards and on electronic job banks
- * Referrals to job openings that match skills and experience
- * Resume assistance through workshops and specialized software
- * Copiers, fax machines, telephones and computers available for use in job search efforts
- * Internet access to post resumes, conduct research, and look at job openings
- * Labor market information, including local employment trends
- * A resource library for job searching, career choices, education and training

If you are a job seeker and are interested in obtaining employment services, call 1-888-469-JOBS (5627).

TEXAS EMPLOYERS POSTING REQUIREMENTS

HOUSTON ONE STOP BUSINESS CENTER, P.O. Box 1562, Houston, Tx. 77251 - Ph. 713-247-2982

*Employers Are Required by Law to Display the Following Posters And/or Documents Prominently in Their Place of Business. **Businesses Are Responsible for Displaying All Posters Required by Law.** Call the Agencies Listed below for Posting Procedures and Availability.*

EMPLOYMENT LAW GUIDE

www.dol.gov/asp/programs/guide.htm

US DEPT OF LABOR POSTER PAGE

www.dol.gov/osbp/sbrefa/poster/main.htm

TEXAS WORKFORCE COMM. LABOR LAW PAGE

www.twc.state.tx.us/customers/bemp/bempsub2.html

► **TEXAS WORKFORCE COMMISSION, Payday Law Unit 800--832-9243 (TDD: 800-735-2989)**

www.twc.state.tx.us

State law requires all employers to post this notice. It advises employees of their rights under the Texas Unemployment Compensation Act (512-463-2747). Employers are also required by the Texas Payday Law to post notice of their paydays.

► **TEXAS WORKERS' COMPENSATION COMM., 713-880-0206 or 713-943-0800**

www.twcc.state.tx.us

Under the Texas Workers' Comp. Act, employers are required to post notice #6 (in English & Spanish) as to whether or not the employer has workers' compensation coverage, and how employees can report workplace safety violations. Notices illustrating the company's drug policy - and disclosing the purchase or termination of insurance coverage - must be provided to employees.

► **U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM. 713-209-3320 or 214-655-3355**

www.eeoc.gov/publications.html

A poster entitled, "Equal Employment Opportunity is the Law" meets the requirements of the Age Discrimination in Employment Act of 1967, Title VII of the Civil Rights Act of 1964, and the Civil Rights Act of 1991. The EEOC enforces the Americans with Disabilities Act (ADA) and the Equal Pay Act.

► **FAIR LABOR STANDARDS ACT - US DOL, 713-339-5500 or 214-767-6897 (Dallas)**

www.dol.gov/osbp/sbrefa/poster/main.htm

Call to find out if your business is required to display the Fair Labor Standards Act and the Polygraph Protection Act posters. U.S. DOL also enforces the "FAMILY AND MEDICAL LEAVE ACT OF 1993". Employers must post a FMLA poster if they have > 50 employees within a 75-mile radius.

► **U.S. OCCUPATIONAL SAFETY & HEALTH ADMIN. - OSHA, 281-286-0583 or 281-591-2438**

www.osha.gov/pls/publications/pubindex.list#posters1

The "OSHA Poster" explains the Occupational Safety and Health Act of 1970. Dallas regional office- 214-767-4731.

► **TEXAS TIER TWO REPORT 1-800-452-2791**

www.tdh.state.tx.us/beh/hazcom/

The Texas Tier Two Report is an annual hazardous chemical inventory which provides detailed information on chemicals which meet or exceed specified reporting thresholds at any time during a calendar year. There are two types of thresholds that determine whether a hazardous chemical will be included on the Texas Tier Two Report: There are very low thresholds for any of the listed Extremely Hazardous Substances (500 pounds or the Threshold Planning Quantity in pounds for the specific listed chemical, whichever amount is less). For all other "generally hazardous chemicals" [products which require a Material Safety Data Sheet (MSDS) under the federal Occupational Safety and Health Administration's (OSHA's) Hazard Communication Standard], the threshold for reporting is 10,000 pounds.

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CONTRACT LABOR

HOUSTON ONE STOP BUSINESS CENTER, P.O. Box 1562, Houston, Tx. 77251-1562, Ph: 713-247-2982

"Contract labor" may be the most widely used misnomer in business today. The issue is really whether a given worker is an employee or an independent contractor. In basic terms, an employee is someone over whose work an employer exercises direction or control and for whom there is extensive wage reporting and tax responsibility. An independent contractor is self-employed, bears responsibility for his own taxes and expenses, and is not subject to an employer's direction and control. The distinction depends upon much more than what the parties call themselves.

The Texas Unemployment Compensation Act does not directly define "independent contractor". Instead, it sets forth a broadly inclusive test, known as the "direction or control" or "common law" test, for who is an employee: "employment" means a service, including service in interstate commerce, performed by an individual for wages or under an express or implied contract of hire, unless it is shown to the satisfaction of the Commission that the individual's performance of the service has been and will continue to be free from control or direction under the contract and in fact". By implication, an "independent contractor" would be a person whose services do not meet the above test.

It is important to note that it does not matter that one or both parties may call their arrangement "contract labor". The above definition makes clear that the important consideration is the underlying nature of the work relationship. The law creates a presumption of employment and places the burden for proving otherwise on the employer. It sets forth the primary factor in an independent contractor relationship, namely, the absence of direction and control over the work.

SPECIFIC CRITERIA FOR DEFINING CONTRACT LABOR

Text taken from: www.twc.state.tx.us/news/efte/specific_criteria.html

Employers often confront these issues over short-term or as needed workers performing services for them. Any employer using what it considers to be "contract labor" should ask itself some questions up front:

Is the service provided by the individuals in question essential to, and an integral part of, the service the employer provides to the public?

The less able an employer is to offer its primary service without the help of the people whose status is at issue, the more likely it is that they will be considered employees. Consider this: if certain services are so essential to a business that it will stand or fall based upon how well those services are performed, the business will naturally want to exercise enough direction and control over the services to ensure they are good. That amount of control can make a company an employer of such workers.

What opportunity for profit or risk of loss is there for the worker? What kind of investment, other than his or her time, does the worker have in the enterprise?

An employee is paid for her time. She would not be expected to provide her own workplace, materials, tools, and supplies, or otherwise to invest her own money in the business. An employee who makes a costly mistake can be fired, but cannot legally be forced to work without pay. An independent contractor, on the other hand, is an independent businessperson with expenses of his or her own. He will be expected to provide or purchase everything he needs to do the job. If he fails to satisfy the customer, he would be required to redo the work for no additional compensation, or else face the risk of non-payment by the customer. These things create the opportunity for profit or loss.

What is the compensation arrangement? Is the compensation negotiated, or is it imposed by the employer?

A true independent contractor's main concern is her own bottom line, not that of the employer. Since she is responsible for

her own overhead, including the hiring of any helpers she may need, there is always an element of negotiation in any bona fide contract for services. Usually, but not always, an independent contractor is paid by the job. It is up to him to figure out how much he needs to finish the job at a profit. If he miscalculates, the loss is his.

Does the individual provide his services to the public at large? Does he advertise his services in newspapers, the Yellow Pages, or specialized journals?

If a person holds herself out to the public as self-employed and available for work for any customer with whom she can negotiate an acceptable price, she is likely to be held an independent contractor. The more the worker advertises, the more it is apparent that she is in business for herself, since an independent business stands or falls based upon its business development efforts.

Is there a non-competition agreement?

Generally, non-competition agreements and independent contractors do not go hand-in-hand. Such a provision in a contract is strongly indicative of an employment relationship, chiefly because it proves that the services in question are directly related to the primary service provided by the employer. If those services were not related, there would be no "competition" and thus nothing against which to guard. The power to keep a person from pursuing his or her own business interests and to force a person to sign such an agreement is typical of the power wielded by employers over employees.

Does the worker provide his services on a continuous basis?

The more long-term, continuous, and exclusive the relationship is, the more likely it is to be employment. Independent contractors, on the other hand, generally perform their work one job at a time and are paid on the same basis.

Is the worker required to provide services under the employer's name? Does she represent herself to the public as being an employee of the employer? On whose behalf are the services performed?

If the general public would perceive the person to be a representative of the employer because of business cards, uniforms, or other advertising, this would be more indicative of an employee than an independent contractor. An employee performs services on behalf of the employer for customers of the employer. An independent contractor performs services on her own behalf for her own customers.

Does the employer retain the right to dictate how the work should be done? Is the worker required to work a certain schedule, to notify the employer if he will not come to work, or to get the employer's approval for any helpers who are hired?

When an employer contracts for outside services, it is normally interested only in the end result, not in the details of how the contractor performs the work. The employer should have no interest in how the independent contractor allocates either his time or that of his helpers. By the same token, the employer would have no interest in the contractor's right to hire his own helpers, beyond the right to contractually specify that anyone providing services on a project must be properly licensed under whatever laws apply to the work.

DEED RESTRICTIONS FAQ

WEBSITE: www.houstontx.gov/legal/dr-faq.html

Deed Restriction Hotline: 713-437-6769

The following are some of the most frequently asked questions (and answers) received by members of the Deed Restriction Enforcement Team regarding deed restriction matters and the City of Houston's authority to enforce them:

Q1: Why is the City's Legal Department involved in the enforcement of deed restrictions? Doesn't the City of Houston have zoning?

A1: The City of Houston is not zoned. Therefore, it is in the City's interest to help with the enforcement of recorded deed restrictions for the protection of persons who purchase property in restricted subdivisions, for the benefit of all residents, citizens, and taxpayers of the City, and to promote the health, safety, morals, and general welfare of the City. "NO-ZONING LETTER" available at: www.houstontx.gov/planning/DevelopmentRegs/nozoning.pdf

Q2: Is there one set of recorded deed restrictions for the entire City of Houston?

A2: No -- deed restrictions adhere to subdivision lines. Example, the recorded deed restrictions for Oak Forest subdivision are valid for only those lots located within the platted area of that particular subdivision. Also note that within the platted subdivision, there could also be the possibility of different sections.

Q3: How do I get a copy of my deed restrictions?

A3: For most people living in the City of Houston, their property is located in Harris County, so please contact the Harris County Clerk's Office at (713)755-6411 and request a copy. They are located at 1001 Preston (Harris County Administration Building), fourth floor, downtown. If your property is not located in Harris County, then contact the clerk's office of the county where the property is located within (example: the Montgomery County Clerk's Office would be the custodian-of-records for deed restriction records for properties located in Montgomery County) and request a copy of the recorded deed restrictions. Each county charges a nominal fee for copies. A helpful hint - try and have the property's legal description (lot & block number, as well as the name of the subdivision where the property is located) when requesting the records.

Q4: Who can lodge a complaint regarding an alleged deed restriction violation?

A4: Any resident of the City of Houston can lodge a complaint with the Deed Restriction Enforcement Team - an individual, a neighborhood group, or a civic club representative. Please note that we will stay in contact with the complainant and if the matter goes to court, then we will request that the complainant appear as a witness for the City of Houston.

Q5: Does an abandoned vehicle qualify as a deed restriction violation that the Deed Restriction Enforcement Team can help with? How about a property that has an excessive amount of junk or debris on it?

A5: No -- however, these matters do fall under the City's nuisance ordinances and can be reported to the Planning & Development Department's Neighborhood Protection Team by calling 311. The citizen will be given a tracking number. To check on the status of such complaint, the citizen should call 311 again and relate the tracking number. To speak to Neighborhood Protection directly, a citizen may call 713.218.5500.

Q6: How much does it cost to have the Deed Restriction Enforcement Team pursue a complaint?

A6: \$0 -- there is no fee charged.

Q7: After lodging a complaint, what further involvement is needed from the person making the complaint?

A7: The Deed Restriction Enforcement Team relies on the complainant to keep it informed as to the daily activity of the violation. And if necessary, when the City takes the property owner and/or tenant to court, the complainant will be asked to appear as a witness at trial for the City. See our section on what the City needs to prove a deed restriction violation for more detailed information.

Q8: Can an attorney from the Deed Restriction Enforcement Team give advice to a private citizen or civic club regarding interpretation of recorded deed restrictions? Is that same attorney available to directly help residents of a subdivision renew/revise/or extend recorded deed restrictions?

A8: No -- attorneys from the City's Legal Department may not give advice or offer an opinion (examples: interpret language in a legal document or provide advice on legal procedures) to private citizens or civic clubs. Individuals and organizations must seek out the services of a private attorney.

Q9: Is the amount of time that a violation has existed a factor in determining whether the City of Houston can pursue a property owner for violation of deed restrictions?

A9: Yes -- if the property in question has been in continuous violation of deed restrictions since prior to August 1965, then the City cannot pursue a lawsuit to enjoin (stop) the violation. However, if the violation started after that date, the City does have statutory (meaning it has been given to the City by the Texas Legislature) authority to pursue a lawsuit to enjoin (stop) the violation.

Q10: What is needed by the Deed Restriction Enforcement Team to prove that a violation of deed restrictions is occurring?

A10: Photographs, eyewitnesses, logs of activities, and documentary evidence are all examples. See our section on what the City needs to prove a deed restriction violation for more detailed information. We also have a downloadable activity log form that can be used by complainants.

Q11: How does the process work in regards to lodging a complaint?

A11: Once the Deed Restriction Enforcement Team receives a complaint, through the mail, from a Council Member, or on the Deed Restriction Hotline, it obtains (through its own title plant) copies of the recorded warranty deed and deed restrictions for the property where the alleged violation is occurring (this is where the City establishes who owns the premises, that the property in question has valid deed restrictions, and that the activity being complained about is in fact prohibited by the deed restrictions);

An investigation is performed (using the Deed Restriction Enforcement Team's own investigators and members of other City departments) to establish that the activity being complained about is in fact taking place*; and

The matter then goes before a staff meeting of attorneys from the Deed Restriction Enforcement Team where the recorded deed restrictions, evidence (or lack of), and other essential factors are examined. It is at this point in the process that the decision is made to (A) send the property owner / tenant a Notice Letter informing him/her that he/she is in violation of the recorded deed restrictions, (B) send the original complainant a letter stating that the file will be closed and the corresponding reasons, (C) or that the matter needs further investigation. Before a lawsuit is filed against a property owner / tenant to enjoin (stop) him/her from violating the deed restrictions, the file is again taken to a staff meeting to ensure that there are sufficient witnesses (these can be neighbors affected by the activity, City investigators, or others with first-hand knowledge of the violation), and supporting evidence.

- Please note that any assistance from the community (this could be the original complainant, the local civic club or homeowners' association, or any individual living in the affected subdivision) is greatly appreciated and an essential part of the Deed Restriction Enforcement Team's investigation.
- **Please contact the Deed Restriction Hotline at 713.437.6769.**

FINANCING RESOURCES

HOUSTON ONE STOP BUSINESS CENTER, P.O. Box 1562, Houston, Texas 77251, Ph. 713-247-2982

THE ONE STOP BUSINESS CENTER NEITHER ENDORSES NOR RECOMMENDS THE PROGRAMS LISTED BELOW, AND PROVIDES THIS GENERAL LIST AS A PUBLIC SERVICE. AGENCIES WITHOUT TDD NUMBERS CAN BE REACHED BY DIALING 7-1-1 (RELAY TEXAS). AGENCIES LISTED ALPHABETICALLY.

ACCION TEXAS (San Antonio-based) 1-888-215-2373

www.acciontexas.org

ACCION Texas provides credit to people with "micro" businesses who do not have access to loans from commercial sources. Loans help stabilize business income and create additional employment. Clients of ACCION Texas typically have lower than average incomes, with a median household income of \$28,800 for a 3-person household. The median asset level of clients' businesses is less than \$5,000. As of December 1996, 76% of ACCION Texas clients were minorities; 64% were Hispanic. Nearly 30% are taxi drivers and 12% are in the food retail industry. Call for details.

BUSINESS CONSORTIUM FUND (BCF) c/o HOUSTON MINORITY BUSINESS COUNCIL: 713-271-7805

www.hmbc.org/benefits/consortium.asp

The BCF is a non-profit minority business development program providing working capital funds to certified businesses (by HMBC). Loans are made at approximate prime rate and range from \$50,000 to \$500,000. Term is a maximum of four years. Loans finance contracts between certified companies which have a contract or a purchase order with a corporate member of the HMBC, where working capital is required to supply the goods or services. Participation in the loan is 75% BCF and 25% Certified bank lender. Ask also about the "Money Match" referral service.

CITY OF HOUSTON ECONOMIC DEVELOPMENT PROGRAMS: 713-837-7701

www.ci.houston.tx.us/departme/planning/planning_dev_web/economic_dev/abt_eco_dev.htm

The Economic Development and Revitalization Division works to provide communities and businesses with access to tools that help strengthen and sustain the local economy. Incentive programs are available to encourage business and industry to choose Houston when making expansion or relocation decisions. Programs administered include Tax Abatement, Brownfield Redevelopment, Development Tax Abatement, Redevelopment Tax Abatement, Residential Tax Abatements, Enterprise Zones, Enhanced Enterprise Communities, Tax Increment Reinvestment Zones (TIRZs), Public Improvement Districts, Historic Tax Exemption, and Municipal Management Districts.

CORPORATION FOR ECONOMIC DEVELOPMENT OF HARRIS COUNTY: 281-590-5600

www.cedhc.com/loan.htm

11703 ½ Eastex Frwy, Houston. CEDHC provides financial and technical assistance to businesses. The CEDHC service area includes Harris, Fort Bend, Montgomery, Waller, Liberty, Brazoria, and Galveston counties.

MICROLOAN PROGRAM: MicroLoans are fixed rate loans ranging from \$500 to \$25,000. These loans are made directly from CEDHC and are available to start-up or existing businesses.

BUSINESS DEVELOPMENT LOAN FUND: All loans are on a participation basis, with the BDLF providing up to ½ of \$250,000 or the total loan request in combination with private lender commitments. All loans are made in tandem with a lender. A letter of commitment from the participating lender(s) is required before CEDHC may process a loan application. The maximum CEDHC commitment to each project is \$250,000.

SBA504 LOAN PROGRAM: Although the total size of projects using CDC financing is unlimited, the maximum amount of CDC participation in any individual project is \$750,000 (or \$1 million for some projects). Typical projects range in size from \$500,000 to \$2 million. The average is \$1 million. The minimum amount of CDC participation is \$50,000. A \$25,000 debenture may be approved in special cases.

EX-IM BANK: 281-721-0465 or 800-565-3946

www.exim.gov/products/index.html

1880 S. Dairy Ashford II, #585. Pre-Export Financing To Help U.S. Exporters Maximize Borrowing Potential. Ex-Im Bank's working capital financing enables U.S. exporters to obtain loans to produce or buy goods or services for export. These working capital loans, made by commercial lenders and backed by our guarantee, provide you with the liquidity to accept new business, grow your international sales and compete more effectively in the international marketplace.

FOUNDATION CENTER: 800-424-9836

www.fdncenter.org

The Foundation Center provides a full line of services and reference materials for new and existing **NON-PROFIT** organizations and businesses.

HOUSTON SMALL BUSINESS DEVELOPMENT CORPORATION (HSBDC): 713-845-2400

www.hsbdc.org

5330 Griggs Rd. The Houston Small Business Development Corporation (HSBDC), a non-profit 501(c)3 organization was established in 1986 by the City of Houston for the purpose of making loans to small businesses. The organization's mission is to stimulate economic growth, combat community deterioration, and foster employment opportunities for low to moderate income citizens. The HSBDC makes Micro-Enterprise and Small Business loans to expanding businesses and works closely with banks and commercial lenders to provide affordable "gap financing". Prospective borrowers, as well as aspiring entrepreneurs, can also take advantage of an array of support services including business planning assistance, office space rental, computer labs, workshops, and much more at the corporation's 160,000-square-foot business complex, the Business Technology Center.

HOUSTON-GALVESTON AREA LOCAL DEVELOPMENT CORPORATION: 713-627-3200

www.h-gac.com/HGAC/Programs/Economic_Development/default.htm

3555 Timmons Lane, #500. Small Business Administration (SBA) 504 Loans. The Houston-Galveston Area Local Development Corporation participates only with the SBA 504 program. We do not offer any assistance pertaining to other non-SBA programs. This allows us to concentrate on the SBA 504 program and provide the best possible service for our clients.

HOUSTON TECHNOLOGY CENTER: 713-658-1750

www.houstontechcenter.org/home/index.asp

410 Pierce St., Houston, TX 77002. The Houston Technology Center (HTC) is a business accelerator and resource center dedicated to supporting, promoting and assisting entrepreneurs and emerging companies emanating from greater Houston's key technology sectors: energy, life sciences, information technology and NASA-originated technology. The HTC provides entrepreneurs and Client Companies with efficient and cost-effective access to a broad network of HTC's leading professional service firms, venture capitalists and mentors. Entrepreneurs also benefit from exposure and networking opportunities provided by HTC events and activities. Guidance from experienced professionals and exposure to other entrepreneurs are also key benefits. The venture capital network and the Houston Angel Network grant entrepreneurs access to necessary capital while providing investors around the nation direct access to Houston-based deal flow.

SMALL BUSINESS INNOVATION RESEARCH PROGRAM- SBIR: 713-773-6527 or 202-205-6450

www.sba.gov/sbir

C/O SBA, 409 SW Washington D.C. 20416. The U.S. SBIR Program provides federally-funded grants to businesses involved in high-tech research and development. Grants of \$50,000+ are available as part of a three-phase funding cycle.

TEXAS DEPARTMENT OF HEALTH FUNDING INFORMATION CENTER: 1-888-963-7111

www.dshs.state.tx.us/fic/default.shtm

The FIC lists public and private funding opportunities available to **registered 501(C)(3) NON-PROFIT organizations** and businesses which provide health related services in Texas. Organizations receive updates on funding opportunities and contracts, as well as a calendar of deadlines.

TEXAS ECONOMIC DEVELOPMENT FINANCE PROGRAMS: 512-936-0100

(administered by the Texas Dept. of Economic Development)

www.tded.state.tx.us/Incentives.htm

Texas Capital Access Fund: The Texas Capital Access Fund was established to increase the availability of financing for businesses and nonprofit organizations that face barriers in accessing capital. Through the use of the Capital Access Fund, businesses that might otherwise fall outside the guidelines of conventional lending may still have the opportunity to receive financing. The essential element of the program is a reserve account established at the lending institution to act as a credit enhancement, inducing the financial institution to make a loan.

Linked Deposit Program: The State of Texas Linked Deposit Program ("Linked Deposit Program") was established to

encourage lending to historically underutilized businesses, child care providers, non-profit corporations, and/or small businesses located in an Enterprise Zone by providing lenders and borrowers a lower cost of capital.

Industrial Revenue Bond Program: The State of Texas Industrial Revenue Bond Program is designed to provide tax-exempt financing to finance land and depreciable property for eligible industrial or manufacturing projects. The Development Corporation Act allows cities, counties, conservation and reclamation districts to form non-profit industrial development corporations or authorities on their behalf. The purpose is to issue taxable and tax-exempt bonds for eligible projects in their jurisdictions.

Enterprise Zone Program: The purpose of the Texas Enterprise Zone Program is to encourage job creation and capital investment in areas of economic distress. The program provides communities with an economic development tool to offer state and local incentives and program priority to new or expanding business in these designated areas.

U.S. SMALL BUSINESS ADMINISTRATION (SBA) Community Express Loan Program
713-773-6500 or TDD: 713-773-6559

SBA LOANS- www.sba.gov/financing/sbaloan/snapshot.html

COMMUNITY EXPRESS- www.sba.gov/financing/lendinvest/comexpress.html

8701 S. Gessner, #1200. CommunityExpress is a pilot SBA loan program that was developed in collaboration with the National Community Reinvestment Coalition (NCRC) and its member organizations. Under the pilot, which is available to selected lenders, an SBAExpress like program will be offered to pre-designated geographic areas serving mostly Low and Moderate Income areas and New Markets small businesses. The program will also include technical and management assistance, which is designed to help increase the loan applicant's chances of success.

OTHER FINANCING RESOURCES & TERMS

FACTORING (or Invoice Factoring):

Factoring is the discounted purchase of a company's accounts receivable. The accounts receivable are purchased by the factoring company, which assumes the credit risk associated with collection. By selling accounts receivable, a business need not wait until the account is paid to get cash for working capital. Upon purchasing a company's invoices, the factor advances 60 to 85% of the invoices' face amount. Upon receipt of payment, the remaining 15-40% is remitted back to the client less the factor's discount fee. Factors are private finance companies. Thoroughly investigate the factor before making a selection.

SBIC:

www.sba.gov/INV/overview.html

Small Business Investment Companies (SBIC's) supply equity capital, long term loans and management assistance to qualified small businesses. SBIC's use their own capital and funds borrowed from the SBA to provide financing to small businesses in the form of equity securities and long-term loans. SBIC's are profit-seeking organizations that select businesses to be financed within rules and regulations set by the SBA. Specialized SBIC's (SSBIC's) are a particular type of SBIC that provide assistance solely to small businesses owned by socially or economically disadvantaged persons. To obtain a copy of the SBA's "Directory of SBIC's" call 800/8-ASK-SBA.

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SELLING GOODS & SERVICES / BID INFORMATION

HOUSTON ONE STOP BUSINESS CENTER, P.O. Box 1562, Houston, Tx. 77251, Ph. 713-247-2982

THE AGENCIES BELOW PURCHASE PRODUCTS AND SERVICES FROM BUSINESSES. CALL FOR INFORMATION, BID POSTING DATES, PROCEDURES, AND COMMODITY LISTINGS. THE TX DEPT OF INSURANCE MAINTAINS A LIST OF COMPANIES LICENSED TO WRITE FIDELITY AND SURETY BONDS IN TX. CALL 800-252-3439 FOR INFO.

MBE-MINORITY ENTERPRISE; **WBE**- WOMEN'S ENTERPRISE; **DBE**-DISADVANTAGED ENTERPRISE; **PDBE**-PERSONS WITH DISABILITIES ENTERPRISE; **HUB**-HISTORICALLY UNDERUTILIZED BUSINESS.

MBE/ WBE/ DBE CERTIFICATION PROGRAMS

COH MINORITY, WOMEN, & DISADVANTAGED BUSINESS ENTERPRISE PROGRAM 713-837-9000

611 Walker, 7th Floor. Certification program for MBE/WBE/DBE/PDBE businesses competing for city contracts. Free pre-certification workshops are held each Thursday. The City of Houston and the Houston Minority Business Council now recognizes each other's certification.

HOUSTON MINORITY BUS. COUNCIL	713-271-7805
HISD OFC OF BUS. ASSISTANCE	713-737-1520

COH STRATEGIC PURCHASING DIVISION 713-247-1740

LOCATION: 901 Bagby St., Basement Level
HOMEPAGE: www.houstonpurchasing.org
FAQ www.faspd.ci.houston.tx.us/faqs.htm
BID HOTLINE 713-247-BIDS (2437)

The City of Houston has designated Strategic Purchasing as the regulatory office for buying products and services. SPD is the main entity within city government that is authorized to issue bid invitations, proposals authorize price changes, process/ release purchase orders, develop and maintain term contracts. Activities involve the procurement of goods and services amounting to more than \$350 million annually. SPD supports the policy of the City of Houston to stimulate the growth of local minority and women-owned business enterprises (M/WBE) by encouraging their full participation in all phases of it's procurement activities and by affording them a full and fair opportunity to compete for all City contracts, either as a prime or sub-contractor.

HARRIS/ FT BEND COUNTIES

HARRIS CO. APPRAISAL DISTRICT	713-957-5214	HARRIS CO. HOSPITAL DISTRICT	713-566-6890
HARRIS CO. HOUSING AUTHORITY	713-747-0353	HARRIS CO. PURCHASING DEPT.	713-755-5036
FORT BEND COUNTY PURCHASING DEPT.	281-341-8640		

STATE OF TX PURCHASING OFFICES (CMBL / HUB / QISV PROGRAMS)

Statewide Bidders List (www.tbpc.state.tx.us/elec_comm/vendor_info.html)

A web -based vendor, publicbuy.net is managing the Centralized Masters Bidders List (**CMBL**). The company's program is known as BASIC and is operated through the publicbuy web site. Registered bidders (HUB, Non-HUB and QISV vendors) who have paid a \$50 annual fee will receive notification of bid opportunities. For more info. Call 512-463-3416.

Historically Underutilized Businesses (HUB) (www.tbpc.state.tx.state.tx.us/hubindex.html)

Certified businesses that are at least 51% owned, operated, and controlled by qualifying groups which includes American Women,

Asian Pacific, Hispanic, Native , and African Americans. For more information and HUB offices, contact 512-463-5872.

Qualified Information System Vendor (QISV) Program (www.gsc.state.tx.us/stpurch/qisv.html) Used in the purchasing of computer-related and telecommunications products. QISV vendors must be approved, have an electronic web site catalogue, and are active on Statewide Bidders List. For information regarding the QISV program contact 512-463-3567.

UTILITIES & TRANSPORTATION

CENTERPOINT ENERGY PURCHASING	713-207-5900	ENTERGY	409-827-5113
METRO PURCHASING	713-739-6829	UNION PACIFIC RAILROAD	402-280-7118
SOUTHWESTERN BELL TELEPHONE	800-870-0958		

* **NOTE-** Municipal Utility Districts publish legal notices concerning large bids. For a list of Harris County MUD's contact the Harris County Appraisal District at 713-683-9200.

U.S. GENERAL SERVICES ADMINISTRATION (713-643-8000)

www.fedbizopps.gov

Public Building Services (PBS) has served as builder, developer, lessor, and manager of Federally owned and leased properties. For more information on PBS go to www.gsa.gov/pbs

Federal Technology Services (FTS) delivers a full range of high quality telecommunications, information technology systems, hardware and software, consulting services, information security services and products, and integrated technology solutions. For more information on FTS go to www.fts.gsa.gov

Federal Supply Services (FSS) is responsible for GSA's supply procurement, motor vehicle procurement and leasing, fleet management services, travel and transportation services, and personal property utilization and disposal programs. For more information on FSS go to www.fss.gsa.gov

INDEPENDENT SCHOOL DISTRICTS & RELATED AGENCIES

HOUSTON ISD	713-892-6940	ALDINE ISD	713-985-6396
ALIEF ISD	713-498-8110	CLEAR CREEK ISD	281-338-5814
CONROE ISD	936-441-9297	CYPRESS FAIRBANKS ISD	713-897-3848
FORT BEND ISD	281-634-1801	FRIENDSWOOD ISD	713-482-1267
GALENA PARK ISD	713-450-4369	HUMBLE ISD	713-540-5975
KATY ISD PURCHASING	281-396-6260	KLEIN ISD	281-376-4180
LAMAR CONSOLIDATED ISD	281-341-3555	LA PORTE ISD	713-842-2223
NORTH FOREST ISD	713-636-4321	PASADENA ISD	713-920-6841
PEARLAND ISD	713-485-3203	SHELDON ISD	713-459-7316
SPRING ISD	713-587-3931	SPRING BRANCH ISD	713-365-5223
TOMBALL ISD	713-357-3100	REGION IV EDUCATION SERVICE CENTER	713-462-7708

OTHER PURCHASING OFFICES

HOU. CONVENTION & VISITORS BUREAU	713-227-3100	HOUSTON HOUSING AUTHORITY	713-260-0551
HOUSTON COMMUNITY COLLEGE	713-866-8320	RELIANT PARK	832-667-1400
MEMORIAL CARE SYSTEMS	713-776-5390	N. HARRIS MONTGOMERY CC	713-591-3538
PORT OF HOUSTON AUTHORITY	713-670-2460	SPACE CENTER HOUSTON	281-244-2105
ST. LUKE'S EPISCOPAL HOSPITAL	713-791-2230	TEXAS CHILDREN'S HOSPITAL	713-770-2122
TEXAS SOUTHERN UNIVERSITY	713-313-7349	UNIVERSITY OF HOUSTON, Downtown	713-221-8607
UNIVERSITY OF HOUSTON CLEAR LAKE	281-283-2150	UNIVERSITY OF HOUSTON MAIN CAMPUS	713-743-5671
COMPAQ CENTER (Sports Arena)	713-627-9470	GULF GREYHOUND PARK	800-275-2946
SAM HOUSTON RACE PARK	713-807-8846	HOUSTON WORKS/ JTPC	713-654-1919
TEXAS A&M UNIVERSITY	979-845-4534	HARRIS CO/HOUSTON SPORTS AUTH.	713-355-2164
MINUTE MAID PARK (Astros)	713-259-8026		

PROCUREMENT SERVICES & BONDING

TEXAS INFORMATION PROCUREMENT SVC. (UHSBDC)	713-752-8477
NATIONAL ASSOC. OF SURETY BOND PRODUCERS	202-686-3700
SBA SURETY BOND GUARANTEE PROGRAM	214-767-7663

TECHNICAL / MANAGEMENT RESOURCES I

HOUSTON ONE STOP BUSINESS CENTER, P.O.Box 1562, Houston, Tx. 77251; Ph. 713-247-2982

FOR NEW BUSINESSES

IRS SMALL BUSINESS TAX WORKSHOPS 713-209-3543

www.irs.gov/businesses/small/article/0,,id=99175,00.html

8701 S. Gessner, #600. The U.S. Internal Revenue Service offers FREE "Small Business Tax Workshops" weekly on Thursdays, (and some Mondays) covering business tax returns, tax benefits and obligations. For electronic filing info, call 281-721-7435. Inquire about Spanish presentations.

SCORE- SERVICE CORPS OF RETIRED EXECUTIVES 713-773-6565

www.scorehouston.org

8701 S. Gessner. #1200. A service sponsored by the U.S. Small Business Admin. FREE counseling is provided by retired business owners and managers. SCORE sponsors the workshop, "Basics of Running a Small Business" (\$25 reg., \$3 parking), held at the University of Houston twice monthly. SCORE also operates the SBA's BUSINESS SERVICE CENTER which provides information on SBA loan guarantee programs and the Business Information Center (BIC). The national SCORE office provides a new E-MAIL COUNSELING service off the SCORE web page. SCORE also services the Palm Center Business Information Center (BIC)- call 713-643-8000.

TSU ECONOMIC DEVELOPMENT CENTER 713-313-7785

www.tsu.edu/academics/business/

3100 Cleburne Ave., Allen Bldg. #B-11. TSU sponsors programs on business development topics such as Business planning, technical and management assistance, marketing research, and community development projects.(FEES).

U.H. SMALL BUSINESS DEVELOPMENT CENTER 713-752-8400

www.sbdcnetwork.uh.edu/

2302 Fannin, #200. *Join the multiple thousands of small businesses that have prospered and grown with the help of the University of Houston Small Business Development Center (UH SBDC). Since 1984, UH SBDC has provided businesses assistance in the areas of business management, government procurement, international trade and manufacturing. Expertise is available to entrepreneurs in the start-up mode as well as to experienced business owners who want to take their companies to the next level.*

AGENCIES PROVIDING SPECIALIZED SERVICES

AMERICAN PRODUCTIVITY & QUALITY CENTER 713-681-4020

www.apqc.org

123 N. Post Oak Lane. The non-profit APQC offers instruction in Benchmarking and Total Quality Management (TQM), in addition to presenting seminars for **EXISTING** companies, training programs, and advisory services. The APQC also has an extensive library available for Center members and public memberships.

BETTER BUSINESS BUREAU OF METROPOLITAN HOUSTON 713-868-9500

www.bbbhou.org

1333 West Loop South, Suite 1200, Houston, Texas 77027. The BBB is a non-profit corporation which provides numerous support and technical services for its business members, as well as the public. The BBB publishes a membership directory, has a series of "How-To" brochures, and seminars and workshops for members and non-members.

BBB- Brazoria Co. - 979-849-6748 www.bbbbrazoria.org
BBB- Ft. Bend Co.- 281-261-1872 www.bbbfortbend.org
BBB- Montgomery Co.- 281-292-7523 www.bbbmontgomery.org

BUSINESS & TECHNOLOGY CENTER 713-845-2400

www.hsbdc.org

5330 Griggs Road. Through the Business Technology Center (BTC), a 140,000 square foot complex, the HSBDC provides a variety of support services designed to enhance small business ventures including, small business incubator services, management and technical assistance, and below market rate loans. These programs within the Business Technology Center, along with specialized literacy, occupational and apprenticeship training programs that are also available, represent a comprehensive effort to provide small and emerging businesses with the support required for growth.

EXECUTIVE SERVICE CORPS OF HOUSTON 713-780-2208

www.eschouston.org

The Executive Service Corps of Houston (ESCH) provides high quality management consulting services, at no cost, to nonprofit charitable organizations, including governmental and educational entities, using the talents, experience and energy of volunteer professionals, both active and retired. The ESCH conducts workshops and seminars to provide basic or introductory information on specific topics that are in high demand to small groups of clients such as Nonprofit Start-up and Grantwriting; Board Development; Conducting Effective Meetings; and Planning.

EXPORT ASSISTANCE CENTER - US INTERNATIONAL TRADE ADMIN. 713-718-3062

www.ita.doc.gov/td/tic

500 Dallas, Suite 1160. The ITA assists in exporting, including licensing, financing, statistics, market research and analysis, and education for existing businesses. Ask for pamphlet, "Export Programs: A Business Directory of U.S. Government Services". **For information on Federal export resources, call the Trade Information Center (TIC) toll-free at 800-872-8723 or 800-USA-TRADE.** The TIC also has telephone numbers for country desk officers who answer questions on a taxes, trade policies, and regulations.

HOUSTON COMMUNITY COLLEGE NORTHWEST 713-718-5722, Call for Locations

www.hccs.cc.tx.us/nwcollege/index.html

HCC-N provides professional continuing education in business, computers, real estate, and for health care professionals. Call for class dates, times, locations, and fees. Free catalog.

HOUSTON MINORITY BUSINESS COUNCIL 713-271-7805

www.hmbc.org

7322 SW Freeway, #1510. The non-profit HMBC enhances business opportunities and eliminates common barriers M/W/DBE's face in the marketplace. Offers educational and networking opportunities, as well as financing information for HMBC members.

HOUSTON MINORITY BUSINESS DEVELOPMENT CENTER 713-644-0821

www.houstonmbdc.com

2900 Woodridge, #310. The mission of the MBDC is to increase opportunities for minority businesses in the Houston area. The MBDC is a joint effort of Grijalva and Allen, PC; the Corporation for Economic Development of Harris Co.; the Hispanic Chamber of Commerce; and the Houston Minority Business Council. Services provided include, but are not limited to: Management training, Personnel policies, Marketing, Accounting and budgeting, Tax compliance and planning, Business planning, Site selection, Inventory control, ISO 9000/TQM, Feasibility studies, Loan packaging, Bonding assistance, Bid preparation, and others. Call for details and terms of service.

HOUSTON WOMENS BUSINESS COUNCIL 281-931-9988

www.hwbc-texas.org

9130 N. Freeway, #206, HWBC's purpose is to provide educational and other resources that foster growth and business opportunities between women business enterprises and major corporations. Membership is open to independent businesses that are at least 51% owned, managed, and controlled by women. To become a member, you must first be certified as a WE by the City of Houston (713-837-9000).

NEIGHBORHOOD TECHNICAL ASSISTANCE CENTER (NTAC), COH 713-837-7701

www.ci.houston.tx.us/departme/planning/home.htm

Planning and Development Dept., 611 Walker, 6th Floor. The NTAC assists neighborhood organizations in their search for information, resources and grant opportunities to fulfill their missions and goals. NTAC is a clearinghouse of reference materials and training information, grant opportunities, and program assistance where patrons can access specialty

publications, videos, the internet, and much more. The NTAC houses a wealth of plans, reports, and studies; grant newsletters; maps; training manuals; planning related subscriptions; newspaper articles; a computer bank; conference reference materials; and more.

NORTH HARRIS MONTGOMERY COMMUNITY COLLEGE SBDC 281-591-9374

www.nhmccd.edu

250 Sam Houston Parkway, E. Free counseling is offered, along with courses (FEES) covering idea evaluation, analyzing customer needs, and writing loan proposals. Inquire about the "Center for Business and Economic Development", which offers specialized training, conference planning, and organizational development for businesses of all sizes.

RICE UNIVERSITY (713-527-6060) Jesse H. Jones Graduate School of Management

www.jonesgsm.rice.edu/jonesgsm/Default.asp

Rice U. offers continuing education programs in Management, Accounting & Finance, Marketing & Strategy, Customer Satisfaction, Global Competition, and others. Some courses award CEU's. Call for fees and availability. Rice U.'s FONDREN LIBRARY (www.rice.edu/fondren/info/faq.html) provides comprehensive research information (713-348-5698).

SERVICES COOPERATIVE ASSOC. 713-932-7495

www.servicesca.org

9600 Long Point Rd., #150. SCA provides education, networking and support for emerging businesses. Also sponsors a for-profit business incubator (Entrepreneurial Development Center). Ask about the WOMENS' BUSINESS CENTER, an INCUBATOR for first stage, women-owned companies.

SILVER FOX ADVISORS, INC. 713-467-5900

www.silverfox.org

Silver Fox executives represent diverse business disciplines and provide practical, proven, and in-depth strategies for a wide range of business situations. Each member's purpose is to improve a client's sales, productivity, processes, and profitability. Each advisor sets individual fees which are considered reasonable when compared to other alternatives such as credit courses in numerous business related fields. Provides instruction at several off-site locations (West Houston and North Houston). Call 713-743-1060 for courses.

UNIVERSITY OF HOUSTON CLEAR LAKE Center for Advanced Management Programs 281-283-3121

www.cl.uh.edu/bpa/camp/services.htm

2700 Bay Area Blvd. CAMP's mission is to provide various services to business and government organizations. Programs are designed to refine and broaden skills, to offer consulting, and to meet diverse professional and educational needs. Call for an extensive listing of upcoming events, educational programs, and counseling services.

TECHNICAL / MANAGEMENT RESOURCES 2

HOUSTON ONE STOP BUSINESS CENTER, P.O.Box 1562, Houston, Tx. 77251, Ph: 713-247-2982

THE ONE STOP BUSINESS CENTER NEITHER ENDORSES NOR RECOMMENDS AGENCIES, ASSOCIATIONS, OR PUBLICATIONS APPEARING ON THIS LIST. AGENCIES WITHOUT TDD NUMBERS CAN BE REACHED USING 7-1-1. PLEASE CALL FOR FAX NUMBERS and WEBSITES.

DEMOGRAPHIC OR STATISTICAL INFORMATION

BUREAU OF BUSINESS RESEARCH, Univ. of Texas Business School	512-471-1616
CITY OF HOUSTON PLANNING & DEVELOPMENT DEPT.	713-837-7701
GREATER HOUSTON PARTNERSHIP, Research Dept.	713-844-3600
HOUSTON CENTRAL LIBRARY, Telephone Reference Dept.	832-393-1313
	713-225-3385 TDD
HOUSTON DOWNTOWN MANAGEMENT CORPORATION	713-650-3022
REGIONAL INFORMATION & COMMUNICATION EXCHANGE (RICE UNIV.)	713-528-3553
UH CENTER FOR PUBLIC POLICY	713-743-3970
UH SMALL BUSINESS DEVELOPMENT CENTER LIBRARY	713-752-8400

ECONOMIC DEVELOPMENT ASSISTANCE / SITES / FINANCING

CLEAR LAKE AREA ECONOMIC DEVELOPMENT FOUNDATION	281-486-5535
FORT BEND CO. ECONOMIC DEVELOPMENT COUNCIL	281-242-0000
GREATER HOUSTON PARTNERSHIP ECONOMIC DEVELOPMENT	713-844-3600
CENTERPOINT ENERGY BUSINESS DEVELOPMENT DIVISION	713-207-1111
SOUTHEAST HARRIS COUNTY ECONOMIC DEVELOPMENT COUNCIL	713-473-7777
PEARLAND ECONOMIC DEVELOPMENT CORPORATION	281-485-2411

LEGAL ASSISTANCE

AMERICAN ARBITRATION ASSOCIATION (Houston Regional Offices)	713-739-1302
DISPUTE RESOLUTION CENTERS	713-755-8274
GULF COAST LEGAL FOUNDATION	713-652-0077
HARRIS COUNTY LAW LIBRARY	713-755-5183
HOUSTON BAR ASSOCIATION LEGAL LINE (Call for hours)	713-759-1133
LAWYERS REFERRAL SERVICE	713-237-9429
LEGAL HOTLINE FOR OLDER TEXANS (AARP)	800-622-2520
TEXAS ATTORNEY GENERAL, Consumer Protection Div.	713-223-5886
UNIVERSITY OF HOUSTON LAW LIBRARY	713-743-2300
VOLUNTEER LAWYERS PROGRAM	713-228-0732

TECHNICAL ASSISTANCE, RESEARCH AND COUNSELING

CPA REFERRAL SERVICE	713-622-7733
CONSUMER CREDIT COUNSELING SERVICE	713-923-2227
GREATER HOUSTON CONVENTION & VISITORS BUREAU (incl. Houston Film Commission)	713-227-3100
HOUSTON ADVANCED RESEARCH CENTER	281-367-1348
MIT ENTERPRISE FORUM OF TEXAS	713-685-3961
SOCIETY OF THE PLASTICS INDUSTRY, INC. (Plastics Recycling Codes)	202-371-5200
TECHNOLOGY BUSINESS DEVELOPMENT c-o Texas A&M	979-845-2907
TEXAS COMMISSION ON ALCOHOLISM & DRUG ABUSE HOTLINE	800-832-9623
TEXAS FILM COMMISSION (Office of the Governor)	512-463-9200
UNDERWRITERS LABORATORIES (Independent Product Testing)	708-272-8800
UNIFORM CODE COUNCIL, INC (UPC, UIC, EDI Code Assignment)	800-543-8137

COMMERCIAL REAL ESTATE AND FACILITIES

"BLACK'S GUIDE" (Office-Industrial Real Estate)	713-439-0271
PORT OF HOUSTON AUTHORITY	713-670-2400
HOUSTON ASSOCIATION OF REALTORS	713-629-1900

EMPLOYEE, CAREER RELATED SERVICES

CAREER & RECOVERY RESOURCES, INC. (Formerly VGS)

JOB TRAINING PARTNERSHIP COUNCIL
SER- JOBS FOR PROGRESS

713-535-7100
713-535-7178 TDD
713-654-1919
713-773-6000

PATENT, TRADEMARK, AND COPYRIGHT ASSISTANCE

AMERICAN SOCIETY OF COMPOSERS, AUTHORS & PUBLISHERS
INVENTORS ASSOCIATION, HOUSTON
NETWORK OF AMERICAN INVENTORS & ENTREPRENEURS (NAIE)
RICE UNIVERSITY PATENT LIBRARY
TEXAS MUSIC OFFICE (Governor's Office- Music Related Clearinghouse)

800-505-4052
281-326-1795
281-351-1316
713-523-2417
512-463-6666

PUBLICATIONS

30 REASONS NOT TO BUY OR START A BUSINESS (Book) 281-652-3937
BUSINESS AMERICA MAGAZINE (Magazine- monthly) 713-228-1187
BUSINESS WEEK (National Magazine- weekly) 800-635-1200
DAILY COURT REVIEW (Newspaper- daily) 713-869-5434
DIRECTORY OF TEXAS MANUFACTURERS (UT/Austin, annual) 888-212-4386
FORBES DIRECTORY (Directory of Houston associations and a monthly listing
of business current events- "The Forbes Report") 713-524-0409
F.W. DODGE DIVISION- MCGRAW HILL INFORMATION SYSTEMS 713-529-4895
HOUSTON BUSINESS JOURNAL (Newspaper- weekly) 713-688-8811
LATIN TRADE (Magazine- Bi-monthly) 800-799-6895
MINORITY SUPPLIER NEWS (Newspaper- seasonal) 212-944-2430
RESOURCE GUIDE FOR LOCAL GOVERNMENTS (Book) 800-544-2042
TEXAS HISPANIC BUSINESS JOURNAL (Newspaper- monthly) 800-846-4549
TEXAS REGISTER (Subscription, Rules & Regs. affecting businesses) 512-463-5561
THE WALL STREET JOURNAL (National newspaper- daily) 800-841-8000 x848
YOUR TEXAS BUSINESS, 2nd Edition (Book) 713-529-4301
U.S. GOVERNMENT BOOKSTORE (Federal resource bookstore) 713-228-1187

NON-PROFIT ASSISTANCE

BUSINESS VOLUNTEERS FOR THE ARTS-HOUSTON, INC. 713-650-3189
EXECUTIVE SERVICE CORPS OF HOUSTON 713-780-2208
FUNDING SOURCE, UH GRADUATE SCHOOL OF SOCIAL WORK 713-743-8146
GRANTSMANSHIP CENTER (Los Angeles) 213-482-9860
GREATER HOUSTON WOMEN'S FOUNDATION 713-623-4493
NONPROFIT MANAGEMENT ASSOCIATION (Los Angeles) 213-623-7080
TEXAS ACCOUNTANTS & LAWYERS FOR THE ARTS 713-526-4876
TEXAS SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS (TSCPA) 713-622-7733
TEXAS STATE COMPTROLLER STATE GRANTS HOTLINE 512-463-6678
FUNDING INFORMATION CENTER 817-334-0228
UNITED WAY MANAGEMENT ASSISTANCE PROGRAM (MAP) 713-685-2787
www.uwtgc.org 713-685-2773 TDD
VOLUNTEER CENTER 713-965-0031

CREDIT REPORTING SERVICES (Call for fees)

EQUIFAX (www.equifax.com) 800-525-6285
TRANSUNION (www.tuc.com) 800-888-4213
EXPERIAN (www.experian.com) 888-397-3742

INTERNET RESOURCES

HOUSTON ONE STOP BUSINESS CENTER, P.O. Box 1562, Houston, Tx. 77251, Ph: 713-247-2982

The following is a list of websites of interest to small businesses. Most public libraries have internet terminals available for use, free of charge. All addresses are subject to change without notice.

HOUSTON CHRONICLE'S BUSINESS RESOURCE DATABASE:

www.chron.com/content/community/business/index.html

GOVERNMENT / RELATED AGENCIES

URL

U.S. BUSINESS ADVISOR	www.business.gov/busadv/index.cfm
U.S. CENSUS BUREAU	www.census.gov
U.S. BUREAU OF ECONOMIC ANALYSIS (Commerce)	www.bea.doc.gov
U.S. DEPARTMENT OF LABOR (incl. Wage and Hour info)	www.dol.gov
U.S. ENVIRONMENTAL PROTECTION AGENCY	www.epa.gov
U.S. SMALL BUSINESS ADMINISTRATION	www.sbaonline.sba.gov
U.S. CUSTOMS SERVICE (Treasury Dept.)	www.customs.ustreas.gov
U.S. INTERNAL REVENUE SERVICE	www.irs.gov/smallbiz/
U.S. INTERNATIONAL TRADE ADMINISTRATION	www.ita.doc.gov/
U.S. PATENT AND TRADEMARK OFFICE	www.uspto.gov
U.S. POSTAL SERVICE	www.usps.com/smallbiz/
U.S. GOVERNMENT PRINTING OFFICE	www.access.gpo.gov
TEXAS MARKETPLACE	www.marketplace.state.tx.us/
TEXAS STATE COMPTROLLER	www.cpa.state.tx.us
TEXAS ATTORNEY GENERAL (Consumer Protection)	www.oag.state.tx.us
DIRECTORY OF TEXAS MANUFACTURERS	www.utexas.edu/depts/bbr
TCEQ (formerly TNRCC)	www.tceq.state.tx.us
TEXAS DEPARTMENT OF HEALTH	www.tdh.state.tx.us
HARRIS COUNTY	www.co.harris.tx.us
CITY OF HOUSTON	www.cityofhouston.gov/
HOUSTON PUBLIC LIBRARY	www.hpl.lib.tx.us/hpl/index.html
METRO	www.ridemetro.org/homepage.asp
PORT OF HOUSTON	www.portofhouston.com

SEARCHES/RESEARCH/DEMOGRAPHICS

URL

GOOGLE	www.google.com
FORT WORTH BUSINESS ASSISTANCE CENTER	www.fwbac.com
THE PEOPLES' LAWYER	www.law.uh.edu/peopleslawyer
FRANCHISING INFORMATION	www.entrepreneur.com/franzone
U.S. GOVERNMENT SEARCH ENGINE	www.lib.lsu.edu/gov/fedgov.html
U.S. SENATE	www.senate.gov
U.S. HOUSE OF REPRESENTATIVES	www.house.gov
U.S. HOUSE INTERNET LAW LIBRARY	law.house.gov
HOTSHEET	www.hotsheet.com
INTERNIC DOMAIN REGISTRATION SYSTEM (URL'S)	www.internic.net/alpha.html
TEXAS STATE DATA CENTER	txsdc.tamu.edu/
UNDERWRITERS LABORATORIES STANDARDS	www.ul.com/info/standard.htm

LABOR AND EMPLOYMENT LAW

URL

STATE BAR OF TEXAS	www.texasbar.com/start.htm
FINDLAW LEGAL SEARCH ENGINE	www.findlaw.com/
LEGAL ENGINE.COM	www.legalengine.com/

HEIROS GAMOS LABOR LAW
LEGAL INFORMATION INSTITUTE
ONLINE LAW LIBRARY
NOLO LEGAL ENCYCLOPEDIA
WWW VIRTUAL LAW LIBRARY (Search)

www.hg.org/employ.html
www.law.cornell.edu
www.fplc.edu/ollie.htm
www.nolo.com/encyclopedia/index.html
www.law.indiana.edu/law/v-lib

BUSINESS ASSOCIATIONS

URL

GREATER HOUSTON PARTNERSHIP
HOUSTON MINORITY BUSINESS COUNCIL
BETTER BUSINESS BUREAU
HOUSTON ENTREPRENEUR'S FORUM
SILVER FOX ADVISORS
CLEAR LAKE AREA EDF (CLAEDF)
CENTRAL HOUSTON INC.
DOWNTOWN MANAGEMENT DISTRICT
MAIN STREET MARKET SQUARE REDEVELOPMENT AUTHORITY
MIDTOWN MANAGEMENT DISTRICT
GREATER EAST END DISTRICT

www.houston.org
www.hmbc.org
www.bbbhou.org
www.4houston.com/hef
www.silverfox.org
www.claedf.com
www.centralhouston.org
www.downtowndistrict.org
www.mainstreetirz.com
www.houstonmidtown.com
www.greatereastend.com

(GSP-8I.WPD, 9-04)

LEGAL BUSINESS STRUCTURES IN TEXAS

HOUSTON ONE STOP BUSINESS CENTER, P.O. Box 1562, Houston, Tx. 77251 - PH: 713-247-2982

The Filing Fee for Articles of Incorporation is \$300. The Secretary of State (SOS) registers Corporate Names, Limited Partnerships, Limited Liability Companies, Certificate of Authority, Non-Profit Agencies, Statewide D.B.A's (name) and others. The legal structures for business available in Texas are as follows. ***Please note that the following information DOES NOT constitute legal advice.***

For more information: www.sos.state.tx.us/corp/businessfaqs.shtml

SOLE PROPRIETORSHIP

A sole proprietorship exists when a single individual operates a business owning all assets, is personally liable for all debts and business ownership is non-transferable. Under a sole proprietorship, the life of the proprietorship is limited to the life of the individual proprietor. The sole proprietorship makes no legal distinction between personal and business debts, and it does not require a separate income tax return.

GENERAL PARTNERSHIP

A general partnership exists when two or more individuals or businesses join to operate a business. Under the general partnership, a separate business entity exists, but creditors can still look to the partner's personal assets for satisfaction. General partners often share equally in assets and liabilities. The general partnership requires an annual partnership income tax return (separate from the partners' personal returns).

CORPORATION

A corporation is created when one or more individuals, partnerships or owners join together to form a separate entity for the purpose of operating a business in Texas. A corporation has its own legal identity, separate from its owners. The corporation safeguards the business owners' personal assets. Taxation of the corporation varies depending on the type of corporation formed- C Corporation or S Corporation. A C Corporation is often times taxed at a rate higher than an individual. The owners are not taxed personally for profits; however, the owners do pay personal taxes on any salaries and/or dividends and the corporation is also taxed on the dividends. Owners of an S Corporation may personally deduct losses the same as a partnership. The S Corporation also offers alternative methods for distributing the business income to the owners, and there is no added cost to the incorporation process.

LIMITED LIABILITY COMPANY, LLC

A limited liability company is an unincorporated business entity which shares some of the aspects of S corporations and limited partnerships, and yet has more flexibility than some more traditional business entities. The limited liability company provides its owners with limited liability and pass-through tax advantages without the restrictions imposed on S corporations and limited partnerships.

LIMITED PARTNERSHIP

A limited partnership is a partnership formed by two or more persons or entities, and having one or more general partners and one or more limited partners. General partners share equality in debts and assets while limited partners have limited debt obligations.

REGISTERED LIMITED LIABILITY PARTNERSHIP

A general partnership registered with the Secretary of State is a "registered limited liability partnership". A partner's liability in a registered limited partnership differs from that in an ordinary partnership. In a registered limited liability partnership, a partner is not individually liable, under some circumstances, for debts and obligations of the partnership arising from errors, omissions, negligence, incompetence, or malfeasance committed in the course of the partnership business by others in the partnership.

A professional tax consultant, accountant and/or attorney should be consulted before determining which legal structure best suits the requirements of the business and its owner(s). Once the legal structure of the business has been determined, the next step is to complete the necessary registration requirements.

REGISTERING A BUSINESS NAME IN TEXAS - State Requirements

All businesses operating as corporations in Texas must file articles of incorporation with the Office of the Secretary of State of Texas. If the corporation will transact business under names other than that stated in the articles of incorporation, the corporation needs to file an assumed name certificate with the Secretary of State, and with the county clerk in which the principal office and registered office of the corporation is located. The Secretary of State will perform a name search to verify that no other corporation in Texas is using the exact name selected. (This check is for corporate names only and does not include DBA filings.) To find out if a corporation is already using the name chosen, call the Secretary of State at 512-463-5555. Office personnel can do an immediate computer search to see if the name has been reserved.

Corporations, limited partnerships, and limited liability companies organized in other states or countries may transact business in Texas by obtaining a Certificate of Authority through the Secretary of State. The Corporation Section (Secretary of State) can provide forms for the certificate of authority. An out-of-state business may consider the option of creating a Texas corporation, limited partnership, or limited liability company for transaction of business in Texas.

Other forms of business entities required to file with the Secretary of State includes limited partnerships, registered limited liability partnerships, limited liability companies, professional corporation, professional associations and non-profit corporations. The Secretary of State provides a summary of the requirements for creation of these entities but does not provide forms for organizational documents except for registration of a limited liability partnership.

The Secretary of State publishes the *Filing Guide*, which offers guidelines for business organization document filing requirements. The Guide also includes administrative rules and sample forms promulgated by the Secretary of State. The current cost of the guide is \$25 and may be purchased directly from the Secretary of State.

FOR FURTHER INFORMATION CONTACT:

Office of the Secretary of State
Corporations Section
P.O. Box 13697
Austin, Texas 78711-3697

OR CALL:

General Information / Name Searches	512-463-5555 (Call before 9 a.m. or after 4 p.m.)
TDD	800/735-2989
FAX	512/463-5709
Copies and Certificates	512-463-5578
Trademarks	512-463-5576
Blank Filing Forms	512-463-5586
Corporate Legal Staff	512-463-5586
"Direct Access" for Business Regulation	512-475-2755 (Charge for On-line Service)
FORMS ONLINE:	www.sos.state.tx.us/corp/business.shtml

TEXAS DECEPTIVE TRADE PRACTICES ACT

HOUSTON ONE STOP BUSINESS CENTER, P.O.Box 1562, Houston, Tx. 77251, Ph. 713-247-2982

TEXT AVAILABLE AT WEBSITES:

www.texasbar.com

library.law.smu.edu/resguide/dtpa.htm

What Is The "Deceptive Trade Practices Act"

The Texas Deceptive Trade Practices-Consumer Protection Act ("DTPA") was enacted on May 21, 1973. The full text can be found starting at section 17.41 of the Texas Business and Commerce Code. The primary purpose of the DTPA is to protect consumers against false, misleading, and deceptive business and insurance practices, unconscionable actions, and breaches of warranty. It does so by prohibiting certain acts and practices that tend to deceive and mislead consumers.

The DTPA provides for both public enforcement and private remedies. Public enforcement is done by the Texas Attorney General, who can seek a court order prohibiting further deceptive practices. A private citizen may seek redress for damages caused by certain specific acts and practices listed in the DTPA. Because the DTPA is very broad and is constantly being interpreted by the courts, it is impossible to explain its complete meaning and impact in this short handbook. If you believe that you are the victim of a deceptive trade practice, please consult an attorney.

Which Transactions Does the DTPA Apply To?

Most consumer transactions are covered by the DTPA. Although the DTPA does not cover every deceptive or unconscionable act or practice, it is quite broad. The DTPA provides that "false, misleading, or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful."

The DTPA prohibits certain acts or practices "in the conduct of any trade or commerce." This is a very broad provision. "Trade and commerce" means "the advertising, offering for sale, lease, or distribution of any good or service, or any property, tangible or intangible, real, personal, or mixed, any other article, commodity, or thing of value wherever situated, and shall include any trade or commerce directly or indirectly affecting the people of this state." The term "goods" includes tangible things or real property purchased or leased for use. The word "service" includes work, labor, or services purchased or leased for use, including services furnished in connection with the sale or repair of goods. The DTPA does not apply to the rendering of a professional service, the essence of which is the providing of advice, judgment, opinion or similar professional skill.

The term "unconscionable" appears frequently in the DTPA, and in this handbook. The DTPA defines an "unconscionable action" as one that "takes advantage of the lack of knowledge, ability, experience, or capacity of a person to a grossly unfair degree."

Who Is Entitled To Protection Under the DTPA?

Other than the Texas Attorney General, only consumers are allowed to file under the DTPA. The phrase "consumer" means an individual, partnership, corporation, or governmental entity who seeks or acquires by purchase or lease any goods or services. It does not cover a business consumer that has assets of \$25 million or more or that is owned or controlled by a corporation or entity with assets of \$25 million or more.

The Element of Knowledge or Intent

The DTPA makes many practices illegal without requiring proof that the defendant intended to do something

wrong or illegal. Unless the section involved requires otherwise, the consumer is not required to prove that the defendant "intentionally" or "knowingly" violated the DTPA. This makes it easier to prove a violation of the DTPA, and provides a strong incentive for sellers of goods and providers of services to refrain from engaging in the prohibited acts and practices.

Nevertheless, the DTPA provides that if a defendant acts "intentionally," the judge or jury may award the consumer "additional damages" in an amount not exceeding three times the actual damages suffered by the consumer.

What Is Included Within the "Laundry List" of Acts and Practices Made Illegal by the DTPA?

The DTPA contains a "laundry list" of specific practices that are prohibited. This laundry list is found in section 17.46(b) of the Texas Business and Commerce Code. It contains 25 acts that violate the DTPA and for which consumers may sue, if the consumers relied on the act to their detriment. These twenty-five acts are described in the pamphlet and web pages referred to at the conclusion of this document.

What Remedies Are Available Under the DTPA?

The remedies of the DTPA are not exclusive. Instead, they are in addition to remedies provided in other laws. In fact, violations of certain other laws may also constitute violation of the DTPA. You may not, however, recover under the DTPA and under some other law for the same alleged wrong. In other words, you cannot recover twice for one violation.

Remedies under the DTPA may not usually be waived, and an attempt to make a consumer waive DTPA remedies is expressly made void and unenforceable unless specific requirements are met. This provision is particularly important when consumers buy goods "As Is." Often, consumers may still be able to recover under the DTPA even if the consumer buys the goods "As Is." If you have such a situation, you should seek the advice of an attorney.

For Further Assistance:

If you do not know an attorney to handle your case, ask a friend or an associate for a recommendation. Also, you may locate one through your local Lawyer Referral Service listed in your telephone directory, or through the State Bar Lawyer Referral Service by calling (toll free) 1-800-252-9690.

This information is not intended to be a substitute for the legal advice of a licensed attorney. If you have any questions regarding a particular issue or topic we suggest you seek legal counsel.

MLM & BUSINESS OPPORTUNITIES

HOUSTON ONE STOP BUSINESS CENTER, P.O. Box 1562, Houston, Tx. 77251-1562; Ph. 713-247-2982

FROM: www.oag.state.tx.us/AG_Publications/txts/busop.shtml

Under the Texas Business Opportunity Act, a business opportunity is regulated by the law if:

It requires you, the buyer, to pay \$500 or more to start the business, AND the seller promises you will earn or are likely to earn a profit exceeding the initial investment, AND the seller promises any one of the following:

- * the seller will provide locations or help you find locations on property not owned by either you or the seller for the use of or operation of the products, equipment, supplies, or services the seller is leasing or selling;
- * the seller will provide a sales, production, or marketing program; this does not apply to businesses that have registered trademarks;
- * the seller will buy back any products, supplies, or equipment purchased, or any product made, fabricated, grown or bred by the purchaser using equipment or products sold or leased by the seller.

A business opportunity meeting these criteria must be registered with the Secretary of State before the seller advertises it or offers it for sale. The law also requires the principal seller to provide all of the following information to the Secretary of State.

Disclosure Requirement

Under the Texas Business Opportunity Act, the seller must provide you with the following information at least 10 days before you sign a contract or turn over any money to the seller:

- * The names and addresses of all persons affiliated with the seller in this particular business;
- * A copy of a current financial statement of the seller;
- * A complete description of the actual services the seller agrees to perform for the purchaser;
- * If training is promised, a complete description of the training, length of training, and cost of travel or lodging during the training;
- * If services are promised in connection with placement of equipment or products, the full nature of the services and the nature of agreements to be made with the owners or managers of business locations;
- * If the seller or his or her representatives have been adjudged bankrupt or have been subject to a judgment in a civil suit involving fraud or embezzlement during the past seven years, he or she must tell you;
- * If the seller makes representations about sales or earnings potential, he or she must disclose both the total number of people participating in the business opportunity for the past three years and the total number of people who have actually achieved the represented sales or earnings within the past three years.
- * Cancellation. The seller must give you the following statement in writing as part of the disclosure requirement: If the seller fails to deliver the product, equipment, or supplies necessary to begin substantial operation of the business within 45 days of the delivery date stated in your contract, you

may notify the seller in writing and cancel your contract.

Precautions

Promises are frequently made as a "come on" to sell the business opportunity by giving it the appearance of a no-lose proposition. But it is not that easy to set up a new business and make money. The more money the seller says you can make, the more you should investigate those claims for accuracy.

A legitimate seller will want to ask you many questions to see if you have a good opportunity for success. A legitimate seller will not be offended if you ask questions about successful participants in the business opportunity he or she is offering for sale. Many people have lost their entire investment by not checking first.

If the business opportunity seller promises purchasers that they are assured of making profit, he or she is required to secure a bond or trust account of \$25,000 in favor of the State of Texas. Before buying a business opportunity, check with the Secretary of State to see if the company is registered and whether such a bond has been filed.

Multi-Level Marketing (MLM)

Today, a popular type of sales program is "multi-level marketing" (MLM) or "network marketing." Many of these programs do not fall within the guidelines of the Texas Business Opportunity Act, so the sellers do not have to register with the Secretary of State or comply with the disclosure requirements. Such plans do offer people an opportunity to earn money and they should be evaluated just as closely as any other type of business opportunity.

Generally, MLM plans allow you to recruit salespeople for your own sales team, who then recruit additional members. You receive commissions from sales made by your team. Team members down the line also get commissions from members below them. There are many legitimate MLM operators in Texas. However, it is a field in which there are many shady operators and questionable sales programs. Some are nothing more than pyramid schemes.

Under the Texas Deceptive Trade Practices Act, you may not promote a pyramid promotional scheme. A pyramid promotional scheme is plan or operation by which a person gives consideration for the opportunity to receive compensation that is derived primarily from a person's introduction of other persons to participate in the plan or operation, rather than from the sale of a product by a person introduced into the plan or operation. This means that, for an MLM plan to be legal, commissions must come from the retail sale of a good and not from the recruitment of people to the sales team.

Besides being a civil deceptive trade practice, pyramid promotion is a state jail felony punishable by imprisonment in a state jail for up to two years and by a fine of up to \$10,000.00.

Tips to Help You Evaluate MLM's

- * Be skeptical of programs that can only be successful if new recruits continually join the sales organization. Are you required to recruit new people as a condition of joining the organization or can you earn money simply by selling the product?
- * Before you join, be sure the product offered is something for which there is a market. Ask what the average monthly retail sales are per salesperson. Be wary of anyone who tells you that you do not have to sell anything to make money. For it to be legitimate, commissions must come from the retail sales of goods, so at some point someone will have to sell something.
- * If the program you are considering does not provide distributors with a contractually enforcement right to a 90% refund of commercially resalable product within one year of the purchase of the product by the distributor, the program may be an illegal pyramid, not a multi-level distributorship.
- * Be extremely careful and wary of buying business opportunities out of weekend seminars given in local hotels or advertised on late night television infomercials. If you buy from a hotel seminar, you must be given a notice of a three day right to cancel.
- * Be wary of a sales pitch that includes promises of high rewards with little effort.

(GSP-07A.WPD, 9-04)

BUSINESS WARRANTIES

HOUSTON ONE STOP BUSINESS CENTER, P.O. Box 1562, Houston, Tx. 77251-1562; Ph. 713-247-2982

THE MAGNUSON-MOSS WARRANTY ACT (MMWA) PROVIDES SPECIFIC GUIDELINES FOR CONSUMER RELATED WARRANTIES. IT COVERS ALL WARRANTY TYPES, INCLUDING: IMPLIED, EXPRESS, FULL AND LIMITED. EXPRESS WARRANTIES AND ORAL REPRESENTATIONS ARE COVERED BY FEDERAL AND STATE LAW, INCLUDING THE TEXAS DECEPTIVE TRADE PRACTICES ACT (DTPA). CONTACT THE FEDERAL TRADE COMMISSION, OFFICE OF CONSUMER AND BUSINESS EDUCATION, AT 202-326-3650., AND ASK FOR THE BOOKLET, "WRITING READABLE WARRANTIES".

FOR MORE INFORMATION: www.ftc.gov/bcp/conline/pubs/buspubs/warranty.htm

SECTION 701.3 WRITTEN WARRANTY TERMS

Any warrantor warranting to a consumer by means of a written warranty a consumer product actually costing the consumer more than \$15 shall clearly and conspicuously disclose in a single document in simple and readily understood language, the following items of information:

The identity of the party or parties to whom the written warranty is extended, if the enforceability of the written warranty is limited to the original consumer purchaser or is otherwise limited to persons other than every consumer owner during the terms of the warranty;

A clear description and identification of products, or parts, or characteristics, or components or properties covered by and where necessary for clarification, excluded from the warranty;

A statement of what the warrantor will do in the event of a defect, malfunction, or failure to conform with the written warranty, including the items or services the warrantor will pay for or provide, and, where necessary for clarification, those which the warrantor will not pay for or provide;

The point in time or event on which the warranty term commences, if different from the purchase date, and the time period or other measurement of warranty duration;

A step-by-step explanation of the procedure the consumer should follow in order to obtain performance of any warranty obligation, including the class of persons authorized to perform warranty obligations. This includes the name(s) of the warrantor(s), together with: The mailing address(es) of the warrantor(s), and-or the name or title and the address of any employee or department of the warrantor responsible for the performance of warranty obligations, and-or a telephone number which consumers may use without charge to obtain information on warranty performance; Information respecting the availability of any informal dispute settlement mechanism elected by the warrantor in compliance with Part 703¹ of this subchapter;

Any limitations on the duration of implied warranties, disclosed on the face of the warranty as provided in Section 108¹ of the Act, accompanied by the following statement: *Some States do not allow limitations on how long an implied warranty lasts, so the above limitation may not apply to you.*

A statement in the following language: *This warranty gives you specific legal rights, and you may also have other rights which vary from state to state.*

¹ - Part 703 and Section 108 of the Act can be found in many libraries. Call the Houston Central Library at 713-236-1313 for details.

Many of the rules and regulations regarding warranties and the sales of goods or products also apply to warranties arising out of a service transaction. Express or implied warranties often arise out of a service provider's claim regarding the quality of a particular service being rendered. See information sheet on the Texas DTPA (included).

(GSP-07B.WPD, 3-05)

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IMPORT / EXPORT RESOURCES

HOUSTON ONE STOP BUSINESS CENTER, P.O. BOX 1562, Houston, Tx. 77251, Ph.: 713-247-2982

International Trade Resources

EXPORT-IMPORT BANK OF THE U.S. (EXIM BANK) 281-721-0467

www.exim.gov

1880 S. Dairy Ashford II, #585, 77077. An independent federal banking corporation established in 1934 to aid in financing exports & imports, as well as the exchange of commodities between the U.S. and foreign nations. It offers direct credit to borrowers outside the U.S. as well as export guarantees, export credit insurance, and discount loans.

INTERNATIONAL BUSINESS INFO CENTER, Greater Houston Partnership 713-844-3600

www.houston.org

1200 Smith St., #700, 77002. Intl. Trade Library has business publications and country-specific demographic and economic information.

INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE 713-454-8000

www.ita.doc.gov

500 Dallas, #1160, 77002. The ITA assists in exporting, including licensing, financing, statistics, analysis, and market research. The ITA is responsible for increasing the export of U.S. goods and services, and develops and provides to American exporters and investors comprehensive data and assistance in international trade. Request the pamphlet "Export Programs: A Directory of U.S. Government Resources". The ITA also publishes "Business America", a magazine detailing export opportunities. For information on Federal export resources, call the Trade Information Center (TIC) toll-free at 800-872-8723

INTERNATIONAL TRADE CENTER, UH SMALL BUSINESS DEVELOPMENT CENTER 713-752-8404

2302 Fannin, #200. The International Trade Center is a division of UH's Small Business Development Center which assists small and medium-sized Texas companies explore and develop business potential in world markets. The ITC offers consulting services, education, and access to international networking, e.g. trade missions, and seminars.

JETRO HOUSTON (JAPANESE EXTERNAL TRADE ORGANIZATION) (713-759-9595)

www.jetro.go.jp/usa/houston/

1221 McKinney, #4141, 77010. JETRO is a source of data and information for exporting to Japan.

PORT OF HOUSTON / HOUSTON FOREIGN TRADE ZONE 713-670-2604

www.portofhouston.com

P.O. Box 2562, 77252. The Port of Houston publishes a database of consulates, shippers, freight forwarders, and other relevant information for import/export. The Houston FTZ offers land and warehouse space suitable for appropriate zone uses. In addition, the Houston FTZ (713-670-2400) offers facilities and services for storage, transportation, and distribution of cargo and goods. Other area FTZ's include Galveston (409-766-6117), Beaumont (409-835-5367), Freeport (979-233-2667), Liberty County (936-592-8786), and Texas City (409-948-3111).

TEXAS DEPARTMENT OF AGRICULTURE, MARKETING DIVISION 512-463-7624

www.agr.state.tx.us

P.O. Box 12847, Austin 78711. The DOA Marketing Division provides counseling and information on international agricultural trade, including trade shows and missions.

TEXAS DEPT. OF ECONOMIC DEVELOPMENT (TDED)

512-936-0249, TDD: 512-936-0555

www.marketplace.state.tx.us

P.O. Box 12728, Austin 78711. The OTIR at the TDED exists to help position Texas as a globally competitive economic region. OTIR assists Texas businesses in gaining access to world markets through trade shows, facilitation of export counseling, trade leads, trade-related research and analysis, and partnerships with entities such as the U.S. Department of Commerce and

JETRO. OTIR also oversees the State of Texas office in Mexico City, which works to facilitate commerce between Texas and Mexican businesses.

U.S. CUSTOMS SERVICE OFFICE 281-985-6768

www.customs.treas.gov

1717 E. Loop 610, #406, 77029. The U.S. Customs Service enforces regulations on all goods brought into the U.S. The nature of the goods imported will determine which local, state, and federal agencies should be contacted. As a border enforcement agency, the U.S. Customs Service works closely with the international trade community and the transportation industry in implementing automated systems and techniques to expedite the flow of commerce across borders.

***TEXAS DEPT. OF ECONOMIC DEVELOPMENT NAFTA CENTER
(North American Free Trade Agreement) Information***

www.tded.state.tx.us/NAFTA/

The trade pact between the U.S., Mexico, and Canada provides for an initial reduction, and eventual elimination of tariffs between the countries over the next fifteen years. NAFTA works to eliminate trade barriers, e.g. tariffs, between the three countries to improve and expand the flow of goods, services, and investment between the trading partners.

NAFTA Certificate of Origin Forms may be obtained from the U.S. Customs Service office for a fee. The U.S. Department of Commerce reports that companies can use their own computer-generated NAFTA Certificate of Origin only if it has been submitted to and approved by the Customs Administration in the IMPORTING country prior to importation. Certificate of Origin records must be maintained for a MINIMUM of five (5) years after the date the Certificate was signed. It is important to choose a Customs Broker for importing, and a Freight Forwarder for exporting. They are listed in area Yellow Pages and are common in Texas' border cities.

Sources of Demographic or Statistical Information

**BUREAU OF BUSINESS RESEARCH
GREATER HOUSTON PARTNERSHIP
CITY OF HOUSTON PLANNING & DEVELOPMENT
HOUSTON CENTRAL LIBRARY
REGIONAL INFO & COMMUNICATION EXCHANGE
UH CENTER FOR PUBLIC POLICY**

**512-471-1616 University of Texas Business School
713-844-3600 World Trade Division
713-837-7701 Research Division
713-236-1313 Telephone Reference
713-528-3553 RICE University
713-743-3970 "DATAbook - Houston"**

RESOURCES FOR CITIZENS WITH DISABILITIES

HOUSTON ONE STOP BUSINESS CENTER, P.O.Box 1562, Houston, Tx. 77251
713-247-2982: RELAY TEXAS: 7-1-1

The Mayor's Office for People with Disabilities (MOPD) was created by City of Houston Code of Ordinance 2-2390 in 1993. The primary mission of this office is to make Houston the most accessible city in the nation by working to remove physical and attitudinal barriers at all levels of City government and throughout the greater Houston community. We accomplish this mission by:

- * Facilitating the delivery of city services to individuals with disabilities*
- * Assisting in the development of disability-related policy and legislation*
- * Providing training and technical assistance to public and private entities, regarding the needs and rights of individuals with disabilities*
- * Promoting community involvement through the Houston Commission on Disabilities and community outreach activities, and developing new programs to meet the needs of citizens with disabilities*

The MOPD promotes community involvement through partnerships with other governmental entities and organizations such as the Houston Commission on Disabilities (HCD). This community outreach service provides quality services, activities and events for people with disabilities throughout the City of Houston .

PHONE: 713.837.90 41 / **TTY:** 713.837.9040

WEB: www.houstontx.gov/disabilities/

ADA-RELATED SERVICES AND ORGANIZATIONS

- | | |
|--|--|
| ▶ U.S. TDD/TTY WEB DIRECTORY | www.fts.gsa.gov/frs/ttydir.htm |
| ▶ ADA HOME PAGE | www.ada.gov/ |
| ▶ ADA HELPLINE | 800-669-3362 |
| ▶ DISABILITY LAW RESOURCE PROJECT | 800-949-4ADA |
| ▶ HOUSTON CENTER FOR INDEPENDENT LIVING (HCIL) | 713-974-4621 (TDD Also) |
| ▶ JOB ACCOMMODATION NETWORK (JAN) | 800-526-7234 (TDD Also) |
| ▶ METROPOLITAN MULTI-SERVICE CENTER | 713-529-4711 (TDD: 713-529-4930) |
| ▶ ADVOCACY INC. (free legal services for disability related cases) | 713-974-7691 |
| ▶ U.S. DEPT. OF JUSTICE (business or govt facility complaints) | 800-514-0383 |
| ▶ INDEPENDENT LIVING RESEARCH UTILIZATION-ADA | 713-520-0232 (TDD: 713-520-5136) |
| ▶ UNITED WAY OF THE TEXAS GULF COAST | 713-685-2300 (TDD: 713-685-2773) |

TITLE I - EMPLOYMENT

WHO IS AFFECTED? Private employers, labor organizations, and labor-management committees. An "Employer" means a person engaged in commerce who has fifteen (15) or more employees for each working day in each of twenty (20) or more calendar weeks in the current or preceding calendar year. The following employment practices are covered: Recruitment, hiring, leave, promotion, training, lay-off, pay, firing benefits, and all other employment-related activities.

- ▶ **U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)** (713-653-3377, TDD: 713-653-3367) 1919 Smith St., 6th Floor. The EEOC administers ADA Title I, issues regulations, and publishes compliance manuals.
- ▶ **TEXAS GOVERNOR'S COMMITTEE ON PEOPLE WITH DISABILITIES** (512-463-5739, TDD: 512-463-5746). Austin, Tx. 78701. Provides FREE information and technical assistance on employment provisions of the ADA.

- ▶ **CAREER AND RECOVERY RESOURCES (Formerly VGS)** (713-754-7000, TDD: 713-754-7082) Specialists provide the following services at no charge: Job search skills, Practice interviewing, Job listings, Clerical skills testing, Resume preparation, and others.

TITLE II - STATE & LOCAL GOVT. OPERATIONS

(TITLE II PERTAINS TO ACCESSIBILITY OF GOVERNMENT AGENCIES, AND DOES NOT DIRECTLY AFFECT THE OPERATION OF PRIVATE BUSINESSES.)

TITLE III - PUBLIC ACCOMMODATIONS

WHO IS AFFECTED? All business and service providers providing goods, services, and facilities to customers. "Public Accommodations" include, but are not limited to: restaurants, hotels, day care centers, retail stores, recreation centers, gas stations, beauty salons, places of assembly, etc. (Note: Private clubs and religious organizations are exempt.) If an office is located in a residence and the customer needs access to the office, then the entrance, hallway and restroom must be accessible.

- ▶ **DEPARTMENT OF JUSTICE- ADA Information Line** (800-514-0301, TDD: 800-514-0383) The U.S. Department of Justice provides information about the Americans with Disabilities Act (ADA) through a toll-free ADA Info Line.
- ▶ **ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD** (800-872-2253, TDD: 800-993-2822). Provides copies of ADA Accessibility Guidelines required under Title III; the Uniform Federal Accessibility Standards (UFAS); and assistance on architectural, transportation, and communications accessibility issues.

TITLE IV - PUBLIC TRANSPORTATION

- ▶ **U.S. DEPARTMENT OF TRANSPORTATION** (202-366-1656, TDD: 202-366-4567) Provides regulations, technical assistance, and enforcement of provisions of the ADA.
- ▶ **METROPOLITAN TRANSIT AUTHORITY, METROLIFT PROGRAM** (713-635-4000, TDD: 713-635-6993) METRO provides transportation services to the disabled community. Inquire about routes, prices, and scheduling. www.hou-metro.harris.tx.us/services/metrolift.asp

TITLE V - TELECOMMUNICATIONS SERVICES

WHO IS AFFECTED? Businesses that regularly offer telephone service to the general public must offer telephone relay services to customers who use telecommunications devices for the deaf (TDD's) or similar devices. "TDD" means a telecommunications device for the deaf, which is a machine that uses graphics in the transmission of coded signals through a wire or radio system.

WHAT DOES THE PHRASE "TELECOMMUNICATIONS RELAY SERVICES" MEAN? Telecommunications Relay Services (TRS) are telephone services that assist hearing or speech-impaired persons to engage in communications by wire or radio with a hearing individual in a manner that is functionally equivalent to the conversation normally experienced by two hearing individuals. TRS enables two-way communication between an individual who uses a TDD machine and an individual who does not use such a device.

- ▶ **FEDERAL COMMUNICATIONS COMMISSION- FCC** (888-225-5322, TTY: 888-835-5322) Administers regulations and guidelines for businesses providing telecommunications relay services for hearing and speech-impaired individuals. **WEBSITE:** www.fcc.gov/dtf
- ▶ **RELAY TEXAS** (7-1-1). **WEBSITE:** www.puc.state.tx.us/relay/index.cfm

TAX CREDITS AND DEDUCTIONS

- ▶ **INTERNAL REVENUE SERVICE** (800-829-1040). Provides information and guidelines for employer compliance incentive programs. A fact sheet is available that gives businesses a summary of some of the federal, state and local incentives that employers can use when considering job applicants with disabilities. Call the IRS Forms Hotline at 800-829-3676 and ask for Publication 535 (Business Expenses). **WEBSITE:** www.irs.gov

ELIMINATING ARCHITECTURAL BARRIERS

THE INFORMATION BELOW IS PROVIDED BY THE TEXAS DEPARTMENT OF LICENSING AND REGULATION. THIS REQUIREMENT IS IN ADDITION TO ANY CITY AND COUNTY BUILDING PERMITS. IT DOES NOT APPLY TO PROJECTS EITHER VALUED AT LESS THAN \$50,000, OR DO NOT REQUIRE THE SERVICES OF A REGISTERED ARCHITECT OR ENGINEER.

FOR INFO ON THE TEXAS ACCESSIBILITY STANDARDS (TAS):
www.tdlr.state.tx.us/ab/abtas.htm

Legal Requirements

The state statute and the standards mandate accessibility in publicly and privately financed buildings and facilities, as well as facilities leased or occupied by state agencies. It applies to temporary or emergency construction in addition to permanent construction. Current application requires compliance at:

- ▶ Buildings and facilities constructed, or substantially renovated, modified, or altered, in whole or in part on or after January 1, 1970, through the use of state, county, or municipal funds, or the funds of any political subdivision of the state.
- ▶ Buildings leased or occupied in whole or in part for use by the state under any lease or rental agreement entered into on or after January 1, 1972.
- ▶ Privately funded buildings and facilities defined as public accommodations by the Americans with Disabilities Act of 1990, that are constructed or substantially renovated, modified, or altered on or after January 1, 1992.
- ▶ Privately funded buildings and facilities defined as commercial facilities by the Americans with Disabilities Act of 1990, that are constructed or substantially renovated, modified, or altered on or after September 1, 1993.

The statute requires that construction documents covering subject facilities be submitted for review prior to commencement of construction if the estimated construction costs are \$50,000 or more. Responsibility for submitting construction documents lies with architects, engineers and interior designers. In the absence of a registered design professional, the owner is responsible.

Failure on the part of a design professional to submit construction documents prior to commencement of construction will result in that fact being reported to the respective registration board. Buildings and facilities required to comply are subject to an on-site inspection after construction is complete. Failure on the part of a building owner to comply may result in administrative penalties not to exceed \$ 1,000 for each violation, per day.

Equivalency Certification from the U.S. Department of Justice

On September 23, 1996, the U.S. Department of justice certified that the Texas Accessibility Standards meet or exceed the new construction and alterations requirements of Title III of the Americans with Disabilities Act.

For Further Assistance

For more information, to file a complaint, obtain information on the department's educational programs, including the Texas Accessibility Academy or to request information in alternative formats, contact:

Texas Department of Licensing & Regulation
Architectural Barriers Section
PO. Box 12157
Austin, Texas 78711
(800) 803-9202
(512) 463-3211 (Austin)
(512) 475-2886 (Fax)
(800) 735-2989 (RelayTexas)

Copies of TAS can be purchased from the:

Office of the Secretary of State
Texas Register Division
PO. Box 13824
Austin, Texas 78711-3824
(512) 463-5561
(512) 463-5569 (Fax)
(800) 735-2989 (TDD)

For information on the ADA, call the U.S. Department of Justice at (800) 514-0301 or (800) 514-0383 (TDD). For information relating to the Federal Fair Housing Act, contact the Department of Housing and Urban Development at (202) 708-0836 or (800) 669-9777, or the Texas Commission on Human Rights at (512) 437-3450.

Historical Background

Texas law includes an Architectural Barriers Act, first adopted by the state legislature in 1969. The Texas Accessibility Standards (TAS) are standards adopted in 1993 by the Texas Department of Licensing & Regulation (TDLR) as a result of the amendments to the Act in 1991.

Compliance with the Texas Architectural Barriers Act and TAS is separate from compliance with the Americans with Disabilities Act (ADA) and the ADA Accessibility Guidelines (ADAAG).

The federal government enforces ADA and the Rehabilitation Act of 1973. TDLR enforces the Texas Architectural Barriers Act.

TDLR's Responsibilities

Prior to the start of construction TDLR plan reviews construction documents for compliance with accessibility standards. Upon completion, TDLR inspects the facility to ensure that it was built as planned. TDLR investigates the consumer accessibility complaints and enforces the standards through administrative hearings.

(GSP-09A.WPD, 7-04)

SAMPLE BUSINESS PLAN OUTLINE

The following is a sample, condensed version of an acceptable business plan format. Many financial institutions require a complete business plan as part of the lending determination. There are many plan formats which can be used.

I. COVER LETTER TO LENDER

- A. Dollar amount requested
- B. Terms and timing
- C. Type and price of securities

II. PLAN SUMMARY

- A. Business description
 - 1. Name
 - 2. Location and plant description
 - 3. Product
 - 4. Market and competition
 - 5. Management expertise
- B. Business goals
- C. Summary of financial needs and application of funds
- D. Earnings projections and potential return to investors

III. MARKET ANALYSIS

- A. Description of total market
- B. Industry trends
- C. Target market & geographic considerations
- D. Competition

IV. PRODUCTS OR SERVICES

- A. Description of product line
- B. Proprietary position: patents, copyrights and legal and technical considerations
- C. Comparison to competitor's products

V. MANUFACTURING PROCESS (if applicable)

- A. Materials
- B. Sources of supply
- C. Production methods

VI. MARKETING STRATEGY

- A. Overall strategy
- B. Pricing policy
- C. Sales terms
- D. Method of selling, distributing, and servicing products

VII. MANAGEMENT PLAN

- A. Form of business organization
- B. Board of directors composition (if applicable)
- C. Officers: organization chart and responsibilities
- D. Resumes of key personnel
- E. Staffing plan / number of employees
 - 1. Payroll and benefits costs
- F. Facilities plan / planned capital improvements
- G. Operating plan / schedule of upcoming work for next one-five years
- H. Government regulations affecting the business

VIII. FINANCIAL DATA

- A. Financial history (five years to present)
- B. Five year financial projections (first year by quarters; remaining years annually)
 - 1. Profit and loss statements
 - 2. Balance sheets
 - 3. Cash flow chart
 - 4. Capital expenditure estimates
- C. Explanation of projections
- D. Key business ratios
- E. Explanation of use and effect of new funds
- F. Potential return to investors compared to competitors and the industry in general

(GSP-08BP-WPD; 7-98)